



**Franklin City Council Agenda
September 28, 2020
Council Chambers
207 West Second Avenue
Franklin, Virginia 23851**

**7:00 P.M.
Regular Meeting**

**CALL TO ORDER. MAYOR FRANK M. RABIL
PLEASE TURN OFF CELL PHONES. MAYOR FRANK M. RABIL
PLEDGE OF ALLEGIANCE
CITIZEN'S TIME
AMENDMENTS TO AGENDA**

1. CONSENT AGENDA:

- A. Approval of September 14, 2020 regular meeting minutes
- B. Introduction of New Employees- Finance Department
- C. August 2020 Departmental Reports (Separate Document)

2. FINANCIAL MATTERS

- A. Budget Amendments 2021-5, 2021-6, 2021-7
- B. Resolution #2020-18
- C. Resolution #2020-19

3. OLD/ NEW BUSINESS:

- A. Update on Franklin Redevelopment and Housing Authority
- B. City of Franklin Noise Ordinance
- C. Update on Gaming Machines
- D. City Manager's Report
 - a. Courthouse Update
 - b. Armory Update
 - c. General Updates

4. COUNCIL/STAFF REPORTS ON BOARDS/COMMISSIONS

5. CLOSED SESSION

I move that the City of Franklin, Virginia City Council adjourn into a closed meeting pursuant to Virginia Code Section 2.2-3711-A-1, 1. discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body as well as discussion of appointments to boards and commissions, to discuss the following subject or subjects: Downtown Franklin Association, Beautification Commission, Industrial Development Authority, and Social Services Advisory Board; and

2.2-3711-A-3, Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body specifically regarding property in Downtown Franklin and along Fairview Drive.

2.2-3711-A-5, Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community specifically along Pretlow Industrial Park, Armory Drive, and Fairview Drive.

2.2-37-11-A-8, Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel specifically regarding a tax matter and a request for tax exempt status.

Motion Upon Returning to Open Session- I move that the City of Franklin, Virginia City Council adopt the attached closed meeting resolution to certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting held on September 28, 2020; (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the City of Franklin, Virginia City Council; and (iii) no action was taken in closed meeting regarding the items discussed.

6. ADJOURNMENT

The Franklin City Council held a Regular City Council Meeting on September 14, 2020 at 7:00 p.m. in the City Council Chambers located at 207 West Second Avenue, Franklin, Virginia 23851.

Council Members in Attendance: Frank Rabil, Mayor; Councilman Linwood Johnson; Councilman Bobby Cutchins; Councilwoman Wynndolyn Copeland, Councilman Gregory McLemore; Councilman Ray Smith and Councilman Mark R. Kitchen

Staff in Attendance: Amanda Jarratt, City Manager and Leesa Barnes, Executive Assistant, Recording Minutes

Other Staff in Attendance: Steve Patterson, Franklin City's Police Chief; Steve Newsome, Information Technology Specialist; Vernie Francis, Chief of Emergency Services; Sarah Rexrode, Director of Social Services; Scot Halverson, Sergeant of Special Operations; Tracy Spence Director of Finance and Russ Pace, Director of Public Works

Call to Order

Mayor Frank Rabil called the September 14, 2020 regular City Council meeting to order at 7:00 p.m.

Citizen's Time

Citizen 1

Barry Cheatham; resides at 135 Bobwhite Lane, Franklin, Virginia 23851. Mr. Cheatham gave City Council the following update on the Western Tidewater Regional Jail.

Good Evening Mayor Rabil, Vice-Mayor Cutchins, Honorable Gentlemen and Lady of City Council and City Manager Jarratt.

First let me express my gratitude for allowing me to serve one more year on the Western Tidewater Regional Jail and complete my term as Chairman. I plan to come to give a report on the jail at minimum every month. Councilman Johnson can ably fill in the other times and add to my report as needed.

Franklin's population at the Regional Jail is slightly up this year in percentage yet the last three months show a drop and as a 3% average is running about the same in percentage of usage. This is how it is calculated as to our share of the cost to operate the facility. (15%)

The jail's Federal count is up and as of July 31 it was at 261. It has been anywhere from 230 to 261 in the last three months. We budget for 150 Federal inmates but we are not guaranteed but 75. The money the state gives us to operate is based on the 75. With the number we are having we end up sending money back to the state (even though they contribute nothing to the housing of the Federal inmates including the building they are housed in). Last quarter we sent \$18,981.75 back. Still this is a major benefit to the jail which I will explain later.

A couple of interesting facts about our population in the jail:

- A very high percent (between 60 to 70%) of our intakes are addicted to some type of substance and go on a detox program immediately.

- We also have a very large percent of inmates that are mentally ill. Several need to be in a different type of institution but there is no room and we treat them there as best we can until we can find a space.
- We also have 120 inmates that should be in a State Department of Correction facility that have not been moved.

Keep in mind except for the Federal and State inmates we are paying all medical expense of the incarcerated expense and it is our highest expense.

We are housing extra Federal and State inmates as neither are drawing down as they would under normal circumstances. We expect that to start back soon.

Corona Virus Update

The jail went months with little (5 employees) signs of the virus. The facility has exceeded what the guidelines are to control this. Well we now have 29 cases confirmed (only 5 with symptoms). They have looked and the only common link (besides the fact they are housed in the same pod) is these are folks that have left the facility for medical treatment. We do not know if there is a link but that is all we can find as a commonality. There was one who tested positive in work release, therefore, we again stopped that program until we have things under control. The employers have been notified. Keep in mind these positive cases were and have been isolated. We test all new inmates as they come in and isolate for a short period of time as well.

Now, for the Federal inmate benefit. We get good money form the government to keep these inmates until their trial. We do not budget all as we almost lost them a few years ago because another entity offered to house at a lower rate (even though we are the U.S. Marshals most appreciated facility). We had Congressman Forbes and Scott go to bat for us and we came up with a price that was acceptable and a guarantee of 75. The money between 150 budgeted and 260 now as inmates is put into a special fund to hopefully make the jail as a pay as you go facility and in the long run save the three entities sponsoring the jail. Examples of this is we needed to redo the parking lot as it was not servicing the jail as needed. The cost is \$365,00.00. this has been paid for out of the money set aside and we did not have to go out and obtain a bond. We have also had major repairs to an air handler and the money was there to repair.

Speaking of bonds. We are looking at refinancing two bonds, one for \$2.2 million and one for \$3.8 million. We are not looking at extending the life of the bonds but lowering the interest rate to 2% or below. The current rates are 2.98% for the \$2 million bond and 3.72% for the \$3.8 million bond. This will save the entities \$30,000.00 per year or \$350,000.00 over the bond life. In addition, we are also looking at what would be best to pay off some of the bond or refinance all of it.

This will be brought to this Council on the October 26, meeting if it looks as if it will be a possible go.

Overall the jail remains one of the best (if not the best) run facilities in the Commonwealth.

Mr. Cheatham paused and asked City Council if they had any questions.

There being no questions, Mr. Cheatham thanked City Council for allowing him the time to report.

Citizen 2

Jesse Evans; resides at 305 Washington Street, Franklin, Virginia 23851. Mr. Evans expressed his concerns about having what is known as a local casino in the City. He added he does not see this as being a positive impact on a community that has issues with crime. He is also concerned about the facility being open for twenty-four hours.

Due to social distancing requirements some public comments are received via email in advance of the meeting. The following email was received:

Citizen 3

Johnny Avent; resides at 104 Page Street, Franklin, Virginia 23851. Mr. Avent sent in the following email:

Mayor and Council Members;

I'm writing in concern of moving the monument. I would like for it to stay at the park where it's been for a long time. The few people that want it moved probably have never seen the monument other than riding by. If you see your way to move the monument let these few people that want it move, pay the total expense. I don't want the City to spend one penny to move it.

Michael Bradshaw spoke at the meeting at the college workshop about trying to get help with the expenses with little league and the City didn't have the money to help. A shame. And the City does not have the money to spend on this useless endeavor. Stand your ground and make them pay for it and I guarantee you will not hear another word from them.

If some of your business men, feel you will get some repercussions from this and hurt your business then you shouldn't be on the City Council in the first place because your constituents come first.

Respectfully,
Johnny Avent

City Manager Amanda Jarratt informed City Council that she had an update on Games of Skill in her City Manager's Report. Games of Skill is the business that Mr. Jesse Evan is referring to in Citizen's Time.

Amendments to Agenda

Mayor Frank Rabil asked if there were any amendments to the agenda.

There were no amendments to the agenda.

Consent Agenda

Approval of August 24, 2020 Regular Meeting Minutes

Mayor Frank Rabil asked if there were any additions or corrections to the minutes from the regular City Council meeting that was held on August 24, 2020.

There being no additions or corrections Mayor Rabil asked for a motion of approval.

Councilman Linwood Johnson made a motion to approve the minutes from the regular City Council meeting that was held on August 24, 2020. The motion was seconded by Councilwoman Wynndolyn Copeland.

The motion carried the vote by 7-0.

Introduction of New Employees – Franklin Police Department

City Manager Amanda Jarratt recognized Steve Patterson, Chief of Franklin City Police Department to come forward and introduce his new employees.

Chief Patterson introduced the following employees:

Angelique Ingram – Dispatcher

Tyler Dodson – Dispatcher

Lindsey Richards – Dispatcher

Brittany Renzetti – Police Officer

Brandon Boyle – Police Officer

Joao Martins – Police Officer

July Departmental Reports (Sent as Separate Document)

Mayor Frank Rabil stated the July Departmental Reports would be deferred until the City Council meeting scheduled for September 28, 2020 so that Council had time to review them.

Financial Matters

School Budget Amendments #2020-18 & #2021-4

#2020-18

City Manager Amanda Jarratt stated Budget Amendment #2020-18 should have been done prior to June 30, 2020. She then recognized Tracy Spence, Director of Finance to review Budget Amendment #2020-18. Director Spence explained that Budget Amendment #2020-18 is to amend the 2019 – 2020 City Budget by amending it to reclassifying and aligning the following anticipated annual expenditure amounts:

School Operating Fund

Expenditures	2019 – 2020 Budget	Amended Budget	Increase (Decrease)
Instruction	\$9,314,189.00	\$8,762,189.00	\$(552,000)
Pupil Transportation	\$ 536,293.00	\$ 748,293.00	\$ 212,000.00
Operation & Maintenance Service	\$1,838,473.00	\$1,988,473.00	\$ 150,000.00
Technology	\$ 909,589.00	\$1,004,589.00	\$ 95,000.00
Transfer to Textbook Fund	\$ 0.00	\$ 95,000.00	\$ 95,000.00
			\$ 0.00

School Cafeteria Fund

Revenue	2019 – 2020 Budget	Amended Budget	Increase (Decrease)
Federal School Service	\$ 728,000.00	\$ 928,000.00	\$ 200,000.00
USDA Commodities	\$ 0.00	\$ 49,285.00	\$ 49,285.00
Use of Fund Balance	\$ 0.00	\$ 97,000.00	\$ 97,000.00
			\$ 346,285.00

Expenditures

Labor Costs	\$ 411,310.00	\$ 520,310.00	\$ 109,000.00
Food Costs	\$ 386,955.00	\$ 546,955.00	\$ 160,000.00
Supplies	\$ 56,468.00	\$ 77,468.00	\$ 21,000.00
USDA Expenses	\$ 0.00	\$ 49,285.00	\$ 49,285.00
Miscellaneous	\$ 3,400.00	\$ (22,600.00)	\$ (26,000.00)
Capital Expense	\$ 0.00	\$ 33,000.00	\$ 33,000.00
			\$ 346,285.00

Mayor Frank Rabil stated he understands that all the funds in instruction does not necessarily come from the City but this is the third year in a row that a considerable amount of money has had to be moved from the instruction line item. In the last two years it has been over a million dollars which gives him great concern.

Mayor Frank Rabil then asked for a motion of approval for Budget Amendment #2020-18.

Councilman Linwood Johnson made a motion to approve Budget Amendment #2020-18. The motion was seconded by Councilman Mark R. Kitchen.

The motion carried the vote by 6-1.

The vote was as follows:

Mayor Frank Rabil	Aye
Vice-Mayor Bobby Cutchins	Aye
Councilman Linwood Johnson	Aye
Councilwoman Wynndolyn Copeland	Aye
Councilman Gregory McLemore	Aye
Councilman Mark R. Kitchen	Aye
Councilman Ray Smith	Abstain

#2021-4

Director Spence explained that Budget Amendment #2021-4 is to amend the 2020 – 2021 City Budget by authorizing changes in the School’s appropriations of Federal revenues and to appropriate the following uses:

School Operating Fund

Revenue	2020 -2021 Budget	Amended Budget	Increase (Decrease)
Pre-School Grant VIB	\$ 22,803.00	\$ 52,255.00	\$ 29,452.00
Carl Perkins Grant	\$ 46,026.00	\$ 114,270.00	\$ 68,244.00
NCLB Grant-Title III Part A	\$ 3,556.00	\$ 5,597.00	\$ 2,041.00
Workforce Opportunity, Inc.	\$ 117,618.00	\$ 124,018.00	\$ 6,400.00
CARES Grant	\$ 0.00	\$ 617,639.00	\$ 617,639.00
			\$ 723,776.00

Expenditures	2020-2021 Budget	Amended Budget	Increase (Decrease)
Carl Perkins Act	\$ 46,027.00	\$ 114,271.00	\$ 68,244.00
Pre-School Act	\$ 22,803.00	\$ 52,255.00	\$ 29,452.00
CARES Grant	\$ 0.00	\$ 617,639.00	\$ 617,639.00
Opportunity Inc.	\$ 117,618.00	\$ 124,018.00	\$ 6,400.00
NCLB Grant- Title III Part A	\$ 3,556.00	\$ 5,597.00	\$ 2,041.00
			\$ 723,776.00

Mayor Frank Rabil asked for a motion of approval for Budget Amendment #2021-4.

Councilman Linwood Johnson made a motion to approve Budget Amendment #2021-4. The motion was seconded by Councilwoman Wynndolyn Copeland.

The motion carried the vote by 6-1.

The vote was as follows:

Mayor Frank Rabil	Aye
Vice-Mayor Bobby Cutchins	Aye
Councilman Linwood Johnson	Aye
Councilwoman Wynndolyn Copeland	Aye
Councilman Gregory McLemore	Aye
Councilman Mark R. Kitchen	Aye
Councilman Ray Smith	Abstain

FY20 Financial Year in Review

City Manager Amanda Jarratt informed City Council a Federal, State and Local State of Emergency was declared on March 13, 2020, as a result of the COVID-19 Global Pandemic. At that point in time all City spending other than spending associated with a law or permit requirement was suspended. In addition, hiring was also suspended other than if it was associated with emergency response to the pandemic. At that point in time, no one has any prediction on impacts to our local revenue sources or what may lay ahead. As you all may recall, the draft FY21 budget was ready for approval and then an additional \$1.1M was cut from the budget in anticipation of negative impacts associated with COVID-19 and the “Stay at Home” Order.

City Manager Jarratt stated she was pleased to report that due to the proactive actions on behalf of management and City Council we are ending the fiscal year with a surplus of just over \$2.9M. Ms. Spence will outline in the following presentation the revenue streams that were in excess of the budget and the various areas of vacancy and operational savings. Also outlined in the presentation are the grant funds that must be carried over as well as department specific carryover requests. A number of projects that were approved were not able to be completed in FY20 due to the pandemic and travel restrictions. The administration is also requesting Council reinstate the 2% cost of living adjustment for City employees to be effective November 1st. Even with these requested commitment of funds the Council will increase the Unassigned Fund Balance by an additional \$1,439,025.00 for a total of \$6,254,930.25 or 23.56% of the General Fund. The policy requires the City maintain a fund balance between 15% - 25%.

Financial Reports

Highlights – General Fund (For the Period Ending June 30, 2020)

Revenue Highlights – Tax Collections

- **Current Real Estate Taxes** – of \$5.58M are at 99.9% of budget and 11.3% higher than the prior year period. Collections in the 45 – day accrual collection period for FY20 are \$180k more than FY-19. FY20 included a tax rate increase of approximately \$22k.
- **Delinquent RE Taxes** – of \$203k are at 92.5% of budget and 17.9% higher than the prior year period.
- **Current Personal Property taxes** – of \$1.65m are at 107.1% of budget and 4.1% higher than the prior year period.
- **Delinquent Personal Property taxes** – of \$47k are at 133% of budget and 46% lower than prior year period collection of \$86k.
- **Penalties and Interest** – of \$154k are at 110.8% of budget and 7.6% higher than the prior year period.
- **Public Service Corporation taxes** – of \$84k are at 105% of budget and 6.5% higher than the prior year period.

General Property Taxes – Overall Budget Comparison – Cash Basis

Current	\$7,971,814.00
Prior Year	\$7,327,236.00

Net Change \$	\$ 644,578.00
Net Change %	\$ 8.80%

Local Tax Revenue Prior Year Comparison Modified Accrual Basis

Current	\$7,971,814.00
Prior Year	\$7,327,236.00
Net Change \$	\$ 644,578.00
Net Change %	\$ 8.80%

Local Tax Revenue Budget to Actual Comparison

	FY 19-20	06/30/2020	% of Budget Realized
Total Local Tax Revenue	\$4,021,763.00	\$3,370,277.00	98.7%

Revenue & Expenditure Summary Expenditure Savings Analysis

Total Identified Expenditure Savings	\$2,982,30.00
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Revenue & Expenditure Summary – Modified Accrual Basis

Increase in Undesignated Fund Balance, FY20	\$1,439,025.00
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General Fund Revenue – Prior Year Comparison – Modified Accrual Basis

General Fund Revenue Pre-Adjusted Total	\$2,098,602.00
Appropriated Fund Balance by Council	\$ 267,089.00
General Fund Revenue Total	\$2,098,602.00

General Fund Expenditures – Prior Year Comparison – Modified Accrual Basis

General Fund Expenditure Pre-Adjusted Total	\$ 230,552.00
Reserved by Council	\$ 345,096.00
General Fund Expenditure Pre-Adjusted Total	\$ 230,552.00

City Manager Amanda Jarratt informed Council that a meeting was scheduled with Dave Rose and Kyle Lax of Davenport & Company LLC on Thursday, September 24, 2020 to discuss the courthouse project and the year end results.

City Manager Jarratt asked that Council reinstate the 2% employee raises to be put back into the budget effective November 1, 2020.

Councilman Linwood Johnson made a motion to reinstate the 2% employee raises to be put back into the budget effective November 1, 2020. The motion was seconded by Councilman Ray Smith.

The motion carried the vote by 7-0.

Highlights – Enterprise Funds (For the Period Ending June 30, 2020)

- Reflects 12 months of revenue & expenditures – full accrual basis of accounting
- Report timely, relevant, understandable and accurate financial data.
- Promote accountability through monitoring, assessment and reporting.

Airport Operating Fund

Revenue Analysis – Fuel sales and airport rental fees are below target with 68% of budgeted realized. Total revenues for the fund are at below target with 97% of budget realized.

Expense Analysis - Expenses in the fund are below target with 84% of budget expended (net of transfers and depreciation).

Cash Balance – Cash balance in the Airport Operating & Capital Fund is \$5,439.00.

Water & Sewer Operating Fund

Revenue Analysis – Revenue from the sale of water and sewer service charges of \$3.3m at the end of the period is below target at 93% of budget and is comparable to prior year period collections.

Expense Analysis – Expenses in the fund are \$1.7m and below target at 87% (net of transfers, debt service and depreciation). Expenses are \$128k lower than prior year in the water division due to well operation maintenance; \$97k lower than prior year in the sewer division due to reduced sewer clean out expenses; and \$130k higher than prior year in the wastewater division treatment plant supply expenses.

Water & Sewer Fund – Operating & Capital Cash Balance

Cash Balance	\$1,644,502.00
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Solid Waste Fund

Revenue Analysis – Revenue for the Solid Waste Fund is slightly above target with revenue a \$1.3m or 102% of budget and is \$31k higher than prior year period collections.

Expense Analysis – Expenses in the fund at \$791k are below target with 79% of budget expended (net of depreciation, transfers and debt service) and is \$95k higher than prior year expenses.

Cash Balance – Cash balance in the Solid Waste Operating & Capital Fund is \$622,099.00.

Solid Waste Fund – Operating & Capital Cash Balance

Cash Balance	\$ 622,099.00
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Electric Operating Fund

Revenue Analysis – Revenue from energy sales at \$14.3m is slightly below target at 93.3% of budget; below is a snapshot of prior year billed service revenue, current year budget, and actual and % of budget realized.

Expense Analysis – Expenses associated with the sale of energy for the fiscal year was \$11.1m and is below budget at 84.1% of the total budget (net of depreciation, transfers and debt service).

Electric Fund – Operating & Capital Cash Analysis

Cash in the Electric Fund at \$5,640,171.00 increased by \$241,028.00 from the prior month period.

Policy Evaluation: Cash is above minimum policy guideline of \$1.494 million by \$4.1 million.

Mayor Frank Rabil asked for a motion of approval for Budget Amendment #2021-4.

City Manager Amanda Jarratt informed Council that a meeting was scheduled with Dave Rose and Kyle Laux of Davenport & Company LLC on Thursday, September 24, 2020 to discuss the courthouse project and the year end results.

Old / New Business

Memorial Park Monument Discussion

City Manager Amanda Jarratt informed Council that staff needed direction from City Council on how to proceed with the monument located at Memorial Park in the City of Franklin and she then gave the following background information of what has transpired in the previous City Council meetings concerning the Memorial Park Monument:

Earlier this year Governor Ralph Northam, signed a law allowing individual localities to remove, relocate or contextualize Confederate statues and monuments within their communities. Localities can begin using these powers starting July 1, 2020. Prior to removing, relocating, contextualizing, or covering any such publicly owned monument or memorial, the local governing body shall publish notice of such intent in a newspaper having general circulation in the locality. The public notice ran on July 29, 2020 in the Tidewater News. After the completion of the hearing, the governing body may vote whether to remove, relocate, contextualize, or cover the monument or memorial, the local governing body shall first, for a period of thirty days, offer the monument or memorial for relocation and placement to any museum, historical society, government, or military battlefield. The local governing body shall have sole authority to determine the final disposition of the monument or memorial.

A locality may, prior to initiating the provisions of subsection B, petition the judge of a circuit court having jurisdiction over the locality for an advisory referendum to be held on the question of the proposal to remove, relocate, contextualize, or cover any monument or memorial located on the locality's public property. Upon the receipt of such petition, the circuit court shall order an election to be held thereon at a time that is in conformity with §24.2-682. The ballots shall be prepared, distributed, and voted, and the results of the election shall be ascertained and certified, in the manner prescribed by §24.2-684.

The governing body may appropriate a sufficient sum of money out of its funds to complete or aid in the erection, removal, relocation, contextualizing, or covering of monuments or memorials to the veterans of such wars or conflicts, or any engagement of such wars or conflicts.

The required public hearing was held on August 24, 2020 at the Camp Community College Workforce Development Center.

City Manager Jarratt stated it costs less to remove the monument versus relocating because it has to be re-erected. Below are the following quotes to remove the monument and re-erect it:

E. T. Gresham Company, Inc.	\$85,500.00
Hampton Roads Crane and Rigging Company	\$33,315.00
Metal Tech of Murfreesboro	Declined

City Manager Jarratt stated one question that has been asked concerning the monument, is if it can be altered and this was recommended at the public hearing. An alteration is not allowed.

Councilman Linwood Johnson made a motion to remove the monument and relocate it to Poplar Springs Cemetery and to remove the three steps and replace the wording that is on the base of the monument to honor all veterans.

Mayor Frank Rabil replied he appreciates the motion but he thought that this was to be discussed first.

Councilwoman Wynndolyn Copeland seconded the motion.

Mayor Rabil opened the floor for discussion.

Mayor Rabil asked if removing the three steps and replacing the wording would be considered altering the monument.

City Manager Jarratt stated that in her discussion with Russ Pace, Director of Public Works, the Public Works Department would pour a concrete slab for the monument to sit on and the three steps would remain.

Councilman Mark R. Kitchen stated that after being told that tonight that Council was to discuss what to do with the monument, there is a motion on the table. He then read the following: "I have reached out to 83 citizens who reside in Ward 1. I have done this because I feel that I represent the people who elected me. I don't vote based solely on my heart and conscious...I don't vote based on my heritage, or what my ancestors did or didn't do but by the OVERWHELMING majority of my constituents. The majority of Ward 1 citizens want the statue to be left alone. Those who feel it is going to be moved regardless of their opinion just hope it's to a safe location before it is vandalized or torn apart. There were 4 residents I spoke with who insisted it be moved. The overwhelming majority of residents feel IF the Monument has to be moved, City funds should NOT be used to fund it. We heard from speakers who asked the City for money in the years past. Their cause was denied due to the City's financial state, or told "we can't do it for one group and not do it for another. "Isn't that what we're being asked to do now? Currently, with the City losing thousands of dollars per month due to the COVID 19 restrictions, and the fear they have brought with them, how can we spend a minimum of \$50k to move a piece of concrete two blocks? Finally, many residents have asked: how would the removal help the citizens of Franklin? Will it help fill the thirty plus job vacancies we currently have? Would it improve our schools? Would it improve our streets? Would it improve our "Small Town" image, since every day at Noon, as well as Saturdays and Sundays...there are families...White, Black, and Brown GETTING ALONG... enjoying city Park while in the shade of the Monument. Where is the fear? Where is the intimidation? If these families can mingle, talk and laugh at the Memorial Park... why can't we do it in every other corner of our City? Also: In closing, if we give in to this request, what's next? Do we change the names of Stonewall St, Lee St, Jackson St? Washington and Madison owned slaves. Do we change those street names as well?

Where will we go from here?

Councilman Gregory McLemore stated he thought the motion was done prematurely without first finding out what it would cost. He asked Sean Hutson, the City of Franklin's representing attorney with Sands Anderson if the monument could be auctioned off and then whomever purchased the monument , it would become the his or her responsibility.

Attorney Hutson replied the monument cannot be auctioned but funds could be raised to relocate it per Virginia State Code Section 15.2-1812 “A locality may, within the geographical limits of the locality, authorize and permit the erection of monuments or memorials for any war or conflict, or for any engagement of such war or conflict. If such are erected, it shall be unlawful for the authorities of the locality, or any other person or persons, to disturb or interfere with any monuments or memorials **so** erected, or to prevent its citizens from taking proper measures and exercising proper means for the protection, preservation and care of same. For purposes of this section, “disturb or interfere with” includes removal of, damaging or defacing monuments or memorials, or, in the case of the War Between the States, the placement of Union markings or monuments on previously designated Confederate memorials or the placement of Confederate markings or monuments on previously designated Union memorials. The governing body may appropriate a sufficient sum of money out of its funds to complete or aid in the erection of monuments or memorials to the veterans of such wars. The governing body may also make a special levy to raise the money necessary for the erection or completion of any such monuments or memorials, or to supplement the funds already raised or that may be raised by private persons, Veterans of Foreign Wars, the American Legion or other organizations. It may also appropriate, out of any funds of such locality, a sufficient sum of money to permanently care for, protect and preserve such monuments or memorials and may expend the same thereafter as other funds are expended.” He added the City has several ways of generating income to relocate the monument such as appropriating funds out of the City’s General Fund or raise funds from private industries. He added the law is not entirely clear obviously has not made its way to the courts yet.

Councilman McLemore stated he was in agreement with Councilman Kitchen’s statement. He added he does not want the City to spend a dime to relocate the monument but he wants it gone. African Americans of the City pay taxes to the City too and they find the monument offensive.

He expressed that he thought the motion needed to be tabled until the City could find out what the cost to relocate the monument would be.

Councilman Gregory McLemore made a counter motion to table the motion until further information could be obtained.

Mayor Frank Rabil stated the motion that was made needed to be voted on first.

Councilman Ray Smith asked Attorney Hutson to define what the ordinance says concerning altering the monument.

Attorney Hutson replied the monument can be relocated contextualize or cover it in terms of where altering falls under contextualizing or not that would need to be researched further. The courts would have to decide the difference between contextualizing and altering.

Councilwoman Wynndolyn Copeland asked what about the statement that says offer the monument or memorial for relocation.

City Manager Jarratt replied if Council decides to move forward with the motion that is on the table, Council would have a waiting period of thirty days while the monument is being offered to a museum or historical society. A Request for Proposal (RFP) would still be issued to receive a quote on how much it would cost to relocate the monument.

Councilwoman Copeland asked if someone was to make an offer, would it be their responsibility to pay for the relocation of the monument.

City Manager Jarratt replied she is of the opinion that yes it would be their responsibility.

Councilman McLemore asked Attorney Hutson what did Richmond do with the Robert E. Lee monument.

Attorney Hutson replied the Robert E. Lee monument was moved under an emergency declaration and is currently being held at the Waste Water Treatment Plant until a decision can be made about what to do with it and is the subject of a lawsuit.

City Manager Jarratt stated several other municipalities of Hampton Roads moved their monuments under emergency declarations because of safety reasons.

Councilman Smith asked Attorney Hutson if the monument could remain if all references to Confederate soldiers and the Confederacy were removed from the concrete.

Attorney Hutson replied again, that would depend on if it is considered altering or contextualizing.

Councilman McLemore stated he liked the recommendation that former Mayor Jim Council suggested which was to remove the wording and make it a memorial for all veterans.

Councilman Johnson stated that can be done by moving the monument and the three steps would be there and something could be put on the monument to honor all veterans. He added that City Council does not need to prolong this.

Councilman McLemore stated he would like to see the monument removed but does not think his constituents want to pay to have it removed.

Councilman Bobby Cutchins stated that if the monument is vandalized, the City is going to have to pay for that as well.

Councilman McLemore asked Councilman Cutchins if the monument is destroyed you think the City should pay to have rebuilt.

Councilman Cutchins replied yes I think the monument should be saved and put some place where it will be appreciated.

Councilman Johnson stated if the monument remains in Memorial Park and is vandalized that is a Class 3 Misdemeanor. If the monument is relocated to the cemetery and is vandalized its considered a felony.

Councilman McLemore stated for the record when a motion is on the floor a counter motion can be made which supersedes the original motion, which Council would vote on and then go back to the original motion.

Mayor Rabil stated Council cannot entertain a counter motion.

Mayor Rabil stated Council held a public hearing concerning the monument and twenty-eight individuals spoke. Eleven individuals were from out of town, as far as the citizens from the City, six individuals wanted the monument relocated and twelve individuals wanted the monument to remain in its location. One individual wanted the monument to be put on a referendum which Council discussed. Mayor Rabil asked Attorney Hutson if the decision was made to do that, how would the language need to read.

Attorney Hutson stated the Council would have to request the referendum be held by the Circuit Court but he would need to verify his answer.

Mayor Rabil stated Council would have to be specific and say the vote language would be to remove or relocate the monument at the cost to such place at the cost of such.

Attorney Hutson replied it could be that specific.

Councilman Johnson stated the Race Relations Committee also voted to relocate the monument as well. City Council was elected by the citizens to make difficult decisions, if Council cannot do this, I feel that we do not deserve to be in the position of Council. We need to move the City forward; we do not need to do a referendum.

Councilman McLemore stated if Council goes forward with the motion and does not table it, there is a risk that the motion will not pass, it is over. If Council chooses to table the motion, it will give Council time to research the cost of relocating the monument.

Mayor Frank Rabil asked Council for their votes.

The motion carried the vote by 6-1.

The vote was as follows:

Mayor Frank Rabil	Aye
Vice-Mayor Bobby Cutchins	Aye
Councilman Linwood Johnson	Aye
Councilwoman Wynndolyn Copeland	Aye
Councilman Gregory McLemore	Aye
Councilman Mark R. Kitchen	Nay
Councilman Ray Smith	Aye

Mayor Rabil directed City Manager Jarratt to proceed collecting information for the RFP.

Personnel Policies

City Manager Amanda Jarratt informed City Council the City of Franklin's Personnel Policy is out of date and City staff is in the process of updating policies. She then asked Michelle Dandridge, Director of Human Resources to come forward and review the following two policies for their consideration:

Temporary Alternative Work Site / Telework Guidelines

The purpose of the Temporary Teleworking policy is to provide a means to continue necessary City business during a situation as authorized by the City Manager. In the event of an emergency situation such as weather disaster or pandemic, the City of Franklin may allow or require employees to temporarily work from home to ensure operational continuity.

Affected employees will be advised of such requirements by their direct supervisor, manager, or department director. Preparations should be made by employees and managers well in advance to allow remote work in emergency circumstances. This includes appropriate equipment needs, such as hardware, software, phone and data lines. The Information Technology (IT) department is available to review these equipment needs with employees and to provide support to employees in advance of emergency telework situations.

305 Education Assistance and Skill Development Program

The purpose of the Education Assistance and Skill Development Program is to provide reimbursement for employees to take course work that will encourage them to upgrade their performance in their current positions or will help them advance in their current career field. The program is available to employees who wish to voluntarily pursue educational advancement. It does not apply to courses or training that are required by the City of Franklin. It also does not cover professional licensing and professional development seminars. Any course, training, licensing or certification that is required by the City will be covered by travel and training funds within each department.

This program is contingent upon annual appropriation of funds and is subject to change at any time. If budgeted funds are exhausted for the year, educational assistance stops prospectively until funding is refreshed. No funds shall be committed for which no appropriation exists.

Mayor Frank Rabil opened the floor for questions. There being no questions, he entertained a motion of adoption.

Councilwoman Wynndolyn Copeland made a motion to adopt the proposed personnel policies. The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote by 7-0.

Proposed No Truck Ordinance

City Manager Amanda Jarratt stated one of the main complaints she has received since she has been the City Manager is the tractor trailer traffic throughout the City. She then called Steve Patterson, Franklin City's Police Chief to come forward and review the following Proposed Truck Ordinance:

To: Amanda Jarratt, City Manager
From: Steve Patterson, Chief of Police
Ref: Proposed No Truck Ordinance
Date: August 31, 2020

The Franklin Police Department receives numerous complaints about trucks coming down Clay Street, Lee Street, and High Street apparently going through the city using the Route 58 Business route. This has been observed personally by me and it appears the trucks are cutting through these residential areas to get from Route 258 back over to 58 without going all the way out to 58 using 258.

With this proposed city ordinance, all trucks would be diverted from these streets unless making a delivery. Whereas now we have to follow a truck from one end of the city to the other to enforce a no through truck ordinance, if we delineate these streets as "No Trucks" we can stop them and determine whether they are making a delivery or not.

All trucks coming in from IOW would cross the bridge, make a left on South Mechanic Street, right on Elm Street, left on South Main Street, right on South Street, left on Pretlow Street back out to 58.

Trucks coming in from North High Street would make a right on Fairview Drive, left on Hunterdale Road and either turn right to go west on Clay Street or take North College Drive to either Armory Drive or South College Drive to South Street to turn right and head west to get back to 58.

Trucks coming in from Hunterdale Road would follow the above guidance for North High Street.

Trucks coming in from Armory Drive would have to turn off North or South at College Drive or stay on 58 and take the Pretlow Street exit or Papermill exit to get to downtown or Route 258 to Smithfield.

Trucks coming in from South Street would have to turn off at South College Drive or stay on 58 and take the Pretlow Street exit to get downtown or the Papermill exit to get to Route 258 to Smithfield.

The proposed ordinance is listed below.

Trucks and carriers operating on certain streets.

(a) It shall be unlawful for any person to operate, or cause to be operated, any "tractor truck" or "truck," as defined in Code of Virginia, § 46.2-100, except for the purpose of receiving loads or making deliveries, on the following streets:

- (1) Clay Street from North College Drive to West 4th Avenue.
- (2) North High Street from Fairview Dr. through South High Street.
- (3) Beamon Street, Lytton Street, Fontaine Street, Norfleet Street, Orchard Street, Lee Street, Ryland Street, Gardner Street, Gay Street, Charles Street, Vine Street.
- (4) East Street, North Mechanic Street, Middle Street, North Main Street, North Franklin Street, South Franklin Street, South Main Street from East 2nd Avenue to Elm Street.
- (5) East 2nd Avenue from Mechanic Street through West 2nd Avenue through Armory Drive to College Dr., East and West 5th Avenue, East and West 4th Avenue, East and West 3rd Avenue, East and West 1st Avenue, Bogart St., West Barrett Street, East and West Jackson Street, Bowers Road,
- (6) South Street from South College Drive to Pretlow Street.
- (7) Broad Street, Walnut Street, Chestnut Street, Elm Street, Birch Street, Sycamore Street, Magnolia Street, Ashton Avenue, Bolling Street, Lauren Street, Oak Street, Morton Street, Hayden Drive, Delk Street, Banks Street, Britt Street, Artis Street, Mariner Street, Virginia Street, Duffy Street, Holland Circle, West Circle, Oak Street.
- (8) Edwards Street, Grove Street, Pearl Street, Hall Street, Malita Street, Yeidee Street, Hall Street, Fair Street, Pine Street, Holly Street, Coll Springs Street, Bruce Street, Railroad Avenue, Wilson Street, Roosevelt Street, Rosewood Avenue, Maplewood Avenue, Madison Street, Washington Street, Stonewall Street, Redwood Avenue, Cobb Street, Bracy Street, Hogart Street, Harrison Street, Thomas Street, Johnson, Street, Amber Street,
- (9) Meadow Lane, Sycamore Road, Sunset Drive, Crescent Drive from Fairview Drive to North High Street, Forest Pine Road, Page Street, Carrie Drive, Wynnwood Drive, Homestead Road, Barristers Lane, McCutcheon Street, Park Circle, Ridge Road,

(b) This section does not apply to (shall not regulate) the use of any vehicle owned, operated (by), or controlled by any fire, rescue or governmental agency.

State Law reference— Authority of city to adopt truck routes, Code of Virginia, § 46.2-1304

Mayor Frank Rabil stated we need to make sure that the tractor trailer traffic in the City is for delivery to businesses only.

Councilman McLemore stated he also has received complaints about tractor trailer traffic as well.

Councilman Mark R. Kitchen stated there is log truck traffic traveling down Delaware Road all day long.

Councilman Ray Smith expressed concern about proper signage and clear definition of the signage that is posted and this needs to be done in an organized and direct way before the City can reinforce the ordinance.

Councilman Bobby Cutchins stated this has been an ongoing problem in the City for years and it is not being enforced.

City Manager Jarratt stated she would get with the Public Works Department, design a signage plan and then bring it back to City Council.

Briefing on Rezoning Application

City Manager Amanda Jarratt briefed City Council on the Rezoning Application. She informed Council that Mr. Ed Spivey Jr. who owns Shy Jack Holdings, LLC. has filled out an Application for Rezoning for the property which is located on the west side of North College Drive, across College Drive from the Summit property and north of the Sheet Metal Products Company which is located in the former Winn Dixie building and which he is the owner the business. He is requesting that the property that is zoned R-2 Conditional to be rezoned to R-O in order that he may build a single family dwelling for himself and his family. This will make it extremely convenient for him to keep watch on his business after hours.

The Planning Commission held a public hearing on Thursday, August 27, 2020 at their regular meeting. No members of the audience spoke against this project. After a discussion of the positive impact the renovated Sheet Metal Products building has provided and a discussion of the positive and limited negative impacts of the request, the Planning Commission made a recommendation of approval of the request.

City Manager Jarratt informed City Council that a public hearing would need to be scheduled in order to move forward with rezoning project. She reminded Council that there would only be one City Council meeting in October due to the Columbus Day Holiday and that would be Monday, October 26, 2020.

The consensus of Council was to hold the public hearing on Monday, October 26, 2020.

Councilman Ray Smith asked if there were any adjoining properties that were zoned R-O.

City Manager Jarratt replied yes there were adjoining properties that were zoned R-0.

City Manager’s Report

City Manager Amanda Jarratt briefed City Council with the following updates:

General Updates

- The COVID-19 cases in the City of Franklin continue to increase, the City currently has 376 cases, 15 hospitalizations and 9 deaths. Precautions remain in place and we ask that all citizens continue to follow the recommendations of the Virginia Department of Health and Center for Disease Control. We are working with the Virginia Department of Health to provide additional testing opportunities in the City in October.

Disposition of Police Vehicles

- Please see the attached memo from Chief Patterson regarding the special disposition of several police vehicles through Enterprise. Staff would like to explore this venue of disposition in an effort to gain increased revenue for the City of Franklin. Previous methods have yielded very low return for the City.
 - o Staff would request Council approve us to pursue this method in an effort to gain additional information for the City.

To: Amanda Jarratt, City Manager
 From: Steve Patterson, Chief of Police
 Ref: Council Consideration to Trade In Cars
 Date: September 8, 2020

In the FY 21 budget the police department was allocated funds to lease two vehicles. In the discussions with Enterprise Leasing about the said lease, Enterprise advised that they could take our older vehicles as trade ins and potentially bring in higher cash values than the department has experienced at auction. Eddy Simon, who is our Enterprise Representative, provided me with the below list of what Enterprise believes they can obtain for the department in resale value. The prices below are worst case scenario and account for a \$400.00 per vehicle handling fee.

Year	Make	Model	Mileage	Trade In Value
2003	Ford	Crown Victoria	103292	\$500.00
2005	Chevrolet	Impala	137861	\$500.00-\$1000.00
2006	Chevrolet	Trail Blazer	153303	\$1000.00-\$2000.00
2006	Chevrolet	Impala	99373	\$1000.00-\$2000.00
2007	Chevrolet	Impala	119778	\$1000.00-\$2000.00

While discussing this with Mr. Simon, it was realized that trade in could not be accomplished without City Council approval as stated in City of Franklin City Code 23.5-32, Sale of Surplus Property, as written below:

(a) The City Manager shall have the authority to dispose of as scrap any items of surplus, obsolete or worn out personal property not suitable for sale if the cost of storage and sale exceeds the value of such items. The City Manager shall have the authority to order a sale at public auction of any items of surplus, obsolete or worn out personal property suitable for sale if the cost of storage and sale is not expected to exceed the value of such items. Sales at public auction shall be held after at least 10 calendar days' notice in a newspaper of general circulation in the City and such other notice as is deemed advisable.

[Amended 11-14-2011]

(b) The following persons may not purchase surplus City property at public auctions: The City Manager, department heads, their spouses or children.

(c) City Council may make special dispensation of individual items, if in its opinion, such dispensation is in the public interest.

From speaking with staff at the police department, surplus vehicles have never brought much money at auction. Based on conversations with Mr. Simon it is believed that more money will be obtained by letting Enterprise sell the vehicles. Any money earned from their sale can be applied to our lease agreement which would reduce our monthly payment.

Charles Butler, Fleet Management with the City of Franklin, was contacted about this option and advised he thought it was a great idea.

I am requesting City Council to make a one-time special dispensation to explore if the five vehicles listed above could be sold by Enterprise and more money obtained versus using a public auction.

Councilman Gregory McLemore made a motion to make a one-time special dispensation to explore if the five vehicles listed above could be sold by Enterprise and more money obtained versus using a public auction. The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote by 7-0.

USDA Grant Application

- Staff was recently notified that there may be an opportunity to obtain a USDA grant for a new police car through the program that we have previously utilized. We were under the impression due to our high utilization of this program that we would not be eligible this year.
 - Staff would request that Council authorize staff to pursue these grant funds and formally accept them at a later date should they be awarded.
 - The USDA grant assist in paying for over half of the price of the vehicle.
 -

Councilwoman Wynndolyn Copeland made a motion to authorize City Manager Amanda Jarratt to pursue the grant application from USDA to purchase a police vehicle. The motion was seconded by Councilman Linwood Johnson.

Councilman Gregory McLemore asked if City Manager Jarratt could see if an electric car could possibly be purchased through the USDA grant.

City Manager Jarratt and Police Chief Patterson replied they would check.

The motion carried the vote by 7-0.

Authorization of Assistant to the City Manager

- City Council had recent discussions about the creation of a new position to further assist the City Manager.
 - In order to begin to formally recruit for this position staff would request Council to formally authorize an Assistant to the City Manager. A budget amendment to fund the salary for the position will be forthcoming once the position has been formally authorized by Council.

Councilman Ray Smith made a motion to formally authorize City Manager Amanda Jarratt to begin the recruiting process of hiring an Assistant City Manager. The motion was seconded by Councilman Mark R. Kitchen.

The motion carried the vote by 7-0.

Council and Budget Calendar Discussion

- Attached is the draft budget calendar for your review and consideration. This is a slightly different format than in years past. Please be prepared to provide guidance on how you all would like to conduct your budget retreat this year. This could be conducted on a later afternoon early evening during the week or an early morning until mid-day on a Saturday.

City Manager Amanda Jarratt stated she would like to schedule a fall Council Retreat and wanted to get a consensus from City Council to see if they wanted to do an evening retreat or a Saturday. She asked them to respond to her by e-mail.

Gaming Machines

City Manager Amanda Jarratt informed City Council that questions concerning gaming machines have been directed to the Police Department and Staff. Prior to the COVID-19 pandemic the General Assembly ruled effective June 30, 2020, gaming machines would be considered illegal in the state of Virginia. With the onset of the pandemic the General Assembly and Governor Northam granted gaming machines a one-year extension until June 30, 2021. An ABC License is required in order to have these machines in the facility. Until the owners have obtained an ABC License, they are operating illegally. The proper City staff are notifying the owners of this. When the General Assembly provided this extension the owners of the facility are required to pay \$1200.00 per machine per month and the locality receives a portion of the revenue. The City has received a number of complaints such as noise, no masking, social distancing and overcrowding.

After considerable discussion from City Council. City Manager Jarratt stated she would get with the City's contracted Attorney firm and see what could be done and possibly the City may need to vote on an ordinance concerning gaming machines.

Community Events

- Franklin Cruise In has restarted on Wednesday afternoons with social distancing being strongly encouraged.
- National Night Out has been rescheduled for October 6, 2020 as a result of COVID-19. Due to the ongoing pandemic and increasing case numbers all activities associated with the evening will be virtual and prerecorded. She asked anyone that would like to participate to please get with Chief Patterson and record a video to be aired on Social Media the night of October 6, 2020. She added the videos would need to be recorded no later than October 30, 2020.

Council / Staff Reports on Boards / Commissions

Mayor Frank Rabil asked if there were any reports on Council / Staff Reports on Boards / Commissions.

There were no reports on Council / Staff Reports on Boards / Commissions.

Closed Session

Mayor Frank Rabil entertained a motion to go into closed session.

Councilwoman Wynndolyn Copeland moved that the City of Franklin, Virginia City Council adjourn into a closed meeting pursuant to Virginia Code Section 2.2-3711-A-1, to discuss appointments to boards and commissions, to discuss the following subject or subjects: Virginia Alcohol Safety Program, Beautification Commission, Industrial Development Authority, and Social Services Advisory Board, and

2.23711-A-5, Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote by 7-0.

City Council went into closed session at 9:35 p.m.

Motion Upon Returning to Open Session

Councilman Bobby Cutchins made a motion to come out of closed session. The motion was seconded by Councilwoman Wynndolyn Copeland.

The motion carried the vote by 7-0.

Other Actions of Council

Councilwoman Wynndolyn Copeland made a motion to appoint Steve Patterson, Chief of Franklin City's Police Department to the Virginia Alcohol Safety Commission. The motion was seconded by Councilman Mark R. Kitchen.

The motion carried the vote by 7-0.

Adjournment

Councilwoman Wynndolyn Copeland made a motion to adjourn the September 14, 2020 regular City Council meeting. The motion was seconded by Councilman Linwood Johnson.

The September 14, 2020 regular City Council meeting adjourned at 10:01 p.m.

Mayor

Clerk to City Council

BUDGET AMENDMENT 2021-5

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the 2020-2021 City Budget is hereby amended to:

1. *appropriate FY20 VDOT unspent funds for street maintenance expenditures;*
2. *appropriate FY20 Community Development unspent budget for operational changes in FY21;*
3. *appropriate FY20 Fire & Rescue unspent budget for training, ladder truck maintenance, wellness program expenses, uniforms, and fire hose & equipment;*
4. *appropriate FY20 Police/E911/Animal Control unspent budget for \$15k match of FY21 USDA grant, temporary tower costs, PSAP & Byrne grant carryover, anticipated vehicle grant match, training, K9 costs, and building repairs.*
5. *appropriate FY20 Parks & Recreations unspent budget for Opportunity & GGP grant carryover, basketball court renovations, pool house renovations, chemical sprayer, and housekeeping & janitorial supplies,*
6. *appropriate FY20 Information Technology unspent budget for final contract payments related to Edmunds software;*
7. *appropriate unspent Foundation Grant funds;*
8. *appropriate unspent Western Tidewater Home Consortium funds;*
9. *appropriate unspent Madison Street Neighborhood Revitalization CDBG Grant funds for MY1; and*
10. *appropriate unspent Madison Street Neighborhood Revitalization CDBG Grant funds for MY2.*

		2020-2021	AMENDED	INCREASE
		BUDGET	BUDGET	(DECREASE)
	#1			
100	GENERAL FUND			
	REVENUE			
41050-0150	Use of Unassigned Fund Balance	\$0	\$20,195	\$20,195
				\$20,195
	EXPENDITURES			
93100-9380	Transfer to Capital Projects	\$560,711	\$580,906	\$20,195
				\$20,195
200	GENERAL CAPITAL PROJECT FUND			
	REVENUE			
41050-9480	Transfer from General Fund	\$536,806	\$557,001	\$20,195
				\$20,195
	EXPENDITURES			
94000-8605	Street Maintenance	\$1,221,357	\$1,241,552	\$20,195
				\$20,195

	#2			
100	<u>GENERAL FUND</u>			
	REVENUE			
41050-0150	Use of Unassigned Fund Balance	\$20,195	\$69,195	<u>\$49,000</u>
				\$49,000
	EXPENDITURES			
34100-8602	Reserve for Contingencies	\$0	\$49,000	<u>\$49,000</u>
				\$49,000
	#3			
100	<u>GENERAL FUND</u>			
	REVENUE			
41050-0150	Use of Unassigned Fund Balance	\$69,195	\$159,868	<u>\$90,673</u>
				\$90,673
	EXPENDITURES			
32100-2810	Education & Uniform Allowance	\$17,640	\$26,065	\$8,425
32100-3310	Repairs & Maintenance-Vehicle	51,000	60,411	9,411
32100-3110	Doctor & Physical Exam	23,000	35,840	12,840
32100-6011	Uniforms & Wearing Apparel	24,000	45,005	21,005
32100-6012	Books & Subscriptions	13,750	19,742	5,992
32100-8101	Fire Hose & Equipment	49,500	82,500	<u>33,000</u>
				\$90,673
	#4			
100	<u>GENERAL FUND</u>			
	REVENUE			
41050-0150	Use of Unassigned Fund Balance	\$159,868	\$316,952	<u>\$157,084</u>
				\$157,084
	EXPENDITURES			
31100-3310	Repairs & Maintenance-Vehicle	\$35,000	\$38,425	\$3,425
31100-8105	Motor Vehicles	0	15,000	15,000
31100-5530	Travel-Subsistence/Lodging	7,500	12,500	5,000
31100-5540	Travel-Convention/Education	5,500	6,500	1,000
31100-5854	K9 Supplies/Training/Healthcare	4,400	5,700	1,300
31100-6009	Vehicle Supplies	13,000	16,500	3,500
31100-6010	Police Supplies	38,000	42,900	4,900
31100- 8010	Byrne JAG Grant	0	4,740	4,740
31130-8400	Capital Outlay	0	44,078	44,078
31130-9007	PSAP Grant	0	69,041	69,041
35100-3317	Repairs Other	3,000	4,400	1,400
35100-6007	Repairs & Maintenance Supplies	6,000	9,700	<u>3,700</u>

				\$157,084
	#5			
100	<u>GENERAL FUND</u>			
	REVENUE			
41050-0150	Use of Unassigned Fund Balance	\$316,952	\$351,680	<u>\$34,728</u>
				\$34,728
	EXPENDITURES			
71300-5540	Travel-Education	\$0	\$500	\$500
71300-5854	Opportunity Grant	0	3,774	3,774
71300-5856	GGP Grant	0	3,317	3,317
71300-6005	Housekeeping & Janitorial	2,000	3,900	1,900
71300-6011	Uniforms & Wearing Apparel	500	800	300
71300-6018	Recreations Supplies	16,000	36,863	20,863
71300-8112	Mowing Equipment	37,916	38,916	1,000
71300-6019	Swimming Pool Supplies	2,000	3,871	1,871
71300-8160	Armory Field Swimming Pool	3,000	4,203	<u>1,203</u>
				\$34,728
	#6			
100	<u>GENERAL FUND</u>			
	REVENUE			
41050-0150	Use of Unassigned Fund Balance	\$351,680	\$412,715	<u>\$61,035</u>
				\$61,035
	EXPENDITURES			
12560-8117	Software Upgrade Project	\$0	\$61,035	<u>\$61,035</u>
				\$61,035
	#7			
220	<u>FOUNDATION GRANTS</u>			
	REVENUE			
41050-0100	Prior Year Carryover	\$0	\$49,764	<u>\$49,764</u>
				\$49,764
	EXPENDITURES			
31100-5848	Camp Foundation Grant Police	\$0	\$24,423	\$24,423
32100-5848	Camp Foundation Grant Fire	0	5,449	5,449
32100-8117	Fire Prevention-Other Grant	0	13,146	13,146
32100-8118	Education Program-F/S Ch	0	682	682
32100-8600	Child Safety Seats	0	1,064	1,064
91450-4009	Hunterdale Volunteer Fire	0	5,000	5,000
				\$49,764

	#8			
289	<u>WESTERN TIDEWATER HOME CONSORTIUM FUND</u>			
	REVENUE			
41050-0100	Prior Year Carryover	\$0	\$114,558	<u>\$114,558</u>
				\$114,558
	EXPENDITURES			
99999-3600	Administration	\$0	\$3,483	\$3,483
99999-7819	206 Cobb Street	0	111,075	<u>111,075</u>
				\$114,558
	#9			
296	<u>MADISON STREET NEIGHBORHOOD GRANT (MY-1)</u>			
	REVENUE			
41050-0100	Prior Year Carryover-MY-1	\$0	\$8,750	<u>\$8,750</u>
				\$8,750
	EXPENDITURES			
85000-3140	Precontract Services - ERR	\$0	\$9	\$9
85000-3141	Management Assistance	0	5,416	5,416
85000-3143	Contract Monitoring	0	375	375
85000-3149	Construction Complete	0	2,400	2,400
85000-4301	Owner Construction	0	550	<u>550</u>
				\$8,750
	#10			
296	<u>MADISON STREET NEIGHBORHOOD GRANT (MY-2)</u>			
	REVENUE			
41050-0101	Prior Year Carryover-MY-2	\$0	\$10,480	<u>\$10,480</u>
				\$10,480
	EXPENDITURES			
86000-4301	Investor -Owner Construction	\$0	\$10,341	\$10,341
85000-4303	Rehabilitation Specialist	0	70	70
85000-4307	Home Maintenance Training	0	69	<u>69</u>
				\$10,480

*Certified copy of resolution adopted by
Franklin City Council.*

Clerk to the City Council

Agenda
Franklin City Council
September 28, 2020

Franklin Fire and Rescue



100 South Main Street • Franklin, Virginia 23851
Office (757) 562-8582 • Fax (757) 562-8592 • Cell (757) 651-8228
Email: vfrancis@franklinva.com

September 3, 2020

Amanda C. Jarratt
City Manager
207 W. Second Ave
Franklin, VA 23851

Re: FY20 Carryover Request

Dear Mrs. Jarratt,

Franklin Fire & Rescue would like to formally request items listed below for carryover from FY20 budget to the current FY21 budget.

The Department is currently hosting a Paramedic program for 10 of its fulltime employees. We would like to request funds to assist with offsetting the cost of books and materials for this program. Providing education is a key element to the overall mission and success of our organization.

- 100-4-32100-2810 Education and Uniform Allowance \$8,425.00

Ladder 1 recently had a major hydraulic issue causing the ladder not to function at all. After further evaluation it was determined that the Swivel valve at the base of the ladder will need to be repaired or completely replaced. This is an unexpected and extremely expensive repair. We are requesting funds to help offset the expense of the Swivel valve.

- 100-4-32100-3310 Repairs & Maintenance – Motor Vehicle \$9,411.00

January 2019, our department implemented a Health, Wellness, and Prevention policy to establish guidelines for all members. These guidelines cover cancer prevention, annual physicals, and physical fitness evaluations. Scheduling our annual physicals have been challenging with this COVID-19 pandemic. We are requesting these funds to assist with the remaining cost for employees of our expansion in Southampton County.

- 100-4-32100-3110 Doctor & Physical Exam \$12,840.00

The COVID-19 pandemic has caused significant challenges over the past 9 months. We have been unable to complete our uniform project for the expansion into Southampton County for which funds were allocated. Since the opening of phase III, we have been working closely with our uniform company on the specs of our new daily uniforms. We are requesting carryover of these funds to cover the cost of all new and existing employees' new uniforms.

- 100-4-32100-6011 Uniforms and Wearing Apparel \$21,005.00

Target Solutions is the City's and Fire Departments online training platform. We receive an annual invoice for this subscription. We are requesting these funds to cover the cost of our added new employees.

- 100-4-32100-6012 Books & Subscriptions \$5,992.00

For the past several years, the Department has been trying to implement a Self-Contained Breathing Apparatus (SCBA) replacement program. Currently our SCBAs are certified to the 2002 NFPA standard and are now obsolete. Our plan was to continue purchasing the newest version of the same manufactures product allowing us to spread the cost over several budget years. Late spring we were notified the company will no longer manufacture this product and will not support any parts for our current SCBAs. We currently have 40 SCBAs that will need replacement. We are requesting these funds go towards the purchase of newer NFPA compliant SCBAs.

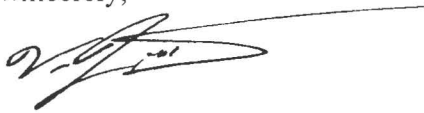
- 100-4-32100-8101 Fire Hose & Equipment \$33,000.00

Finally, we are requesting carryover of the remaining funds of our charitable accounts. These funds will be utilized for education, personal protective equipment and other charitable approved expenditures for FY21.

- 220-4-32100-5848 Camp Foundation Grant Fire \$3,496.00
- 220-4-32100-8117 Fire Prevention – Other Grant \$7,642.60
- 220-4-32100-8600 Child Safety Seats \$1,064.00

I would like to thank you in advance for considering our proposal request for FY20 carryover.

Sincerely,



Vernie W. Francis III
Chief of Emergency Services
Franklin Fire & Rescue



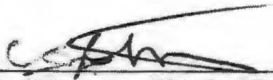
TO: Amanda Jarratt, City Manger
 FROM: Steve Patterson, Chief of Police
 Robert Porti, Deputy Chief of Police
 SUBJ: FY 20-21 Carry Over Request
 DATE: 03 September 2020

Ms. Jarratt,

As requested, the below information has been assembled to identify requested carry-over from Fiscal Year 2020 to Fiscal Year 2021.

Line Item	Amount	Purpose
Police		
100-4-3310 - Repairs - Motor Vehicles	\$ 3,425.00	Vehicle fleet is aging and requiring more costly repairs
100-4-31100-3320 - Maint Service Contracts	\$ 15,000.00	Can this be carried over and placed in 100-4-31100-6009 - Vehicle Supplies? We have the opportunity to acquire additional vehicles this year but upfitting with emergency equipment is an additional cost.
100-4-31100-5530 - Travel - Subsistence/ Lodging	\$ 5,000.00	COVID-19 and manpower shortages prevented training opportunities. It is hoped that more opportunities will present themselves this FY. Additional monies would allow for attendance at venues such as IACP or FBINAA which typically are not within our budget.
100-4-31100-5540 - Travel - Convention/ Education	\$ 1,000.00	Same as above
100-4-31100-5854 - K9 Supplies/ Training/ Healthcare	\$ 1,300.00	Due to a surgery for Jolene, we are already in need to transfer money into this account
100-4-31100-6009 - Vehicle Supplies	\$ 3,500.00	We have the opportunity to acquire additional vehicles this year but upfitting with emergency equipment is an additional cost.
100-4-31100-6010 - Police Supplies	\$ 4,900.00	Ammunition order will take up a large portion of current FY budget. PO was just requested for over \$13,000.
100-4-31100-8010 - Byrne JAG Grant	\$ 4,740.00	Grant Carry Over
220-4-31100-5848 - Camp Foundation	\$ 24,422.53	Camp Foundation Carry Over
Communications		
100-4-31130-8400 - Capital Outlay	\$ 44,078.26	Temporary Tower Project - Still on-going
100-4-31130-9007 - PSAP Grant	\$ 69,041.09	Grant Carry Over
Animal Control		
100-4-35100-3317 - Repairs Other	\$ 1,400.00	Additional will allow for more renovation and rejuvenation projects in the facility
100-4-35100-6007 - Repairs & Maintenance Supplies	\$ 3,700.00	Same as above

Should you have any questions or require additional information, we are available at your convenience.


 Steve Patterson, Chief of Police


 Robert Porti, Deputy Chief of Police



DEPARTMENT OF PARKS & RECREATION

MEMORANDUM

To: Mrs. Amanda Jarratt
City of Franklin, City Manager

From: Mrs. Sammara Bailey, Director
Franklin Department of Parks & Recreation

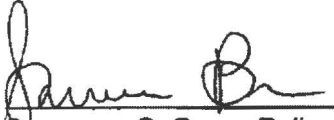
Subject: 2019-2020 Franklin Department of Parks and Recreation Carry-Over

Date: 9/2/2020

Recreation Account #	Amount	Justification
100-4-71300-5540- Travel/Education	\$500.00	Now that PW does not have a licensed chemical sprayer. I need to get Armory Sports Court, College Drive playground and MLK playground sand box sprayed to stop grass from growing.
100-4-71300-5854- Parks and Recreation-Opportunity Grant	\$3,774.00	Grant has been extended for 12 more months
100-4-71300-5856- Parks and Recreation-GGP	\$3,317.27	Grant has been extended for 12 more months
100-4-713000-6005- Housekeeping & Janitorial Supplies	\$1,900.00	Need to buy additional cleaning supplies that was not planned before COVID-19 hit.
100-4-71300-6011- Uniforms and wearing apparel	\$300.00	Uniforms and appeal
100-4-71300-6018- Recreational Supplies	\$29,656.30	Basketball court renovations
100-4-71300-6018- Mowing Equipment	\$1000.00	Maintenance for ventrac tractor
100-4-71300-6019-Swimming Pool Supplies	\$1,870.75	Renovations on bathrooms at pool house

100-4-71300-8160- Armory Field Swimming Pool	\$1,202.63	Renovations on bathrooms at pool house
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With Covid-19 hitting a lot of projects that were anticipated to start were delayed or could not start at all. Please consider my parks and recreation carry-over. The total carry-over I am requesting is - \$43,520.95



Sammara C. Green Bailey

BUDGET AMENDMENT 2021-6

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the 2020-2021 City Budget is hereby amended to:

1. recognize additional revenues from the Department of Behavioral Health & Developmental Services and to appropriate such revenue for new use;
2. recognize revenues from the CDBG Planning Grant and to appropriate such revenue for use;
3. recognize revenues from the USDA Grant and to appropriate such revenue for use; and
4. reallocate appropriations to fund a digger truck for the Electric Fund.

		2020-2021	AMENDED	INCREASE
		BUDGET	BUDGET	(DECREASE)
	<i>#1</i>			
100	<u>GENERAL FUND</u>			
	REVENUE			
24040-0300	State Infant & Toddler	\$447,999	\$467,813	\$19,814
33010-0300	Federal Part C Infant & Toddler	186,244	177,154	(9,090)
				\$10,724
	EXPENDITURES			
52300-5699	Contributions-Children's Center	\$634,243	\$644,967	\$10,174
				\$10,724
	<i>#2</i>			
100	<u>GENERAL FUND</u>			
	REVENUE			
24040-0020	CDBG Planning Grant	\$0	\$37,000	\$37,000
				\$37,000
	EXPENDITURES			
34100-3188	Contractual Services-Planning Grant	\$0	\$37,000	\$37,000
				\$37,000
	<i>#3</i>			
100	<u>GENERAL FUND</u>			
	REVENUE			
33010-0062	USDA Police Grant	\$0	\$23,000	\$23,000
				\$23,000
	EXPENDITURES			
31100-8105	Motor Vehicle	\$15,000	\$42,452	\$27,452
91600-1000	Reserve – General Fund	141,753	137,301	(4,452)
				\$23,000

	<i>#4</i>			
505	<u>ELECTRIC FUND</u>			
	<u>EXPENDITURES</u>			
20020-8300	Digger Truck	\$0	\$225,000	\$225,000
95101-9150	Lease Payments - Truck	48,000	0	(48,000)
20010-6017	Energy for Resale – True Up	1,202,662	1,025,662	<u>(177,000)</u>
				\$0

*Certified copy of resolution adopted by
Franklin City Council.*

Clerk to the City Council



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Shannon Dion
Director

Megan Peterson
Chief Deputy Director

Washington Building
1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
www.dcjs.virginia.gov

June 28, 2019

Ms. Amanda Jarrett
City Manager
City of Franklin
207 W. 2nd Avenue
Franklin, VA 23851

RE: Local Law Enforcement Block Grant

Dear Ms. Jarrett:

The Byrne Justice Assistance Grant Program (JAG) makes federal funds available to localities to help support their efforts to reduce crime and improve public safety. The Virginia Department of Criminal Justice Services has been designated to administer a portion of the JAG funds reserved for Virginia and to make those funds available to local units of government. I am pleased to advise you that we are awarding your locality **\$4,741**, funded through federal grant **2017-DJ-BX-0082**. Your DCJS grant award number is **20-S1186LO17** and the project period for this program is **07/01/2019** through **06/30/2020**.

Enclosed you will find the Statement of Grant Award (SOGA) and Special Conditions documents, along with Reporting Requirements and Projected Due Dates. To indicate your acceptance of the award and conditions, please sign the SOGA and return it electronically within the next 60 days to grantsmgmt@dcjs.virginia.gov. In order to complete the award acceptance, you must also provide information on how your locality will use the awarded federal funds. Instructions are attached.

In addition, please review your special conditions carefully as they include specific requirements about how your grant funds must be managed. DCJS is mandated to comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/SAM/>. Therefore, you must maintain a valid Data Universal Numbering System (DUNS) number (a unique nine-digit number used for identifying and keeping track of entities receiving federal funds) and be registered in SAM to receive an award.

For SAM registration assistance, please contact Lacey Payne at (804) 786-8003 or via email at Lacey.Payne@dcjs.virginia.gov.

Please provide copies of this Award Package to those contacts listed on your grant application. We will be happy to assist you in any way we can to assure your project's success. If you have any questions regarding this award, please contact your Grant Monitor, Jessica Rothenberg, at (804) 225-1847 or via email at jessica.rothenberg@dcjs.virginia.gov.

Sincerely,

A handwritten signature in black ink that reads "Shannon Dion". The signature is written in a cursive style with a horizontal line above the name.

Shannon Dion

Enclosures



Ralph S. Northam
Governor

R. Brian Ball
Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

Erik C. Johnston
Director

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

April 6, 2020

Mr. Frank M. Rabil
Mayor
City of Franklin
207 West Second Avenue
Franklin, VA 23851-1713

RE: 2019 Community Development
Block Grant (CDBG) Planning Grant
– City of Franklin Amendment

Dear Mayor Rabil:

This letter is written reference of your 2019 CDBG Planning Grant for the City of Franklin's Comprehensive Community Development (CCD) project. There was an error in the original letter dated _____, therefore, please accept this letter as an amendment of the city's initial grant award not to exceed the amount of \$40,000.

If you have any questions, please feel free to contact me at matt.weaver@dhcd.virginia.gov or Elizabeth Boehringer at (804) 371-7065.

Sincerely,

Matt Weaver
Associate Director

c: Amanda C. Jarratt, City Manager
Joanne Peerman, DHCD
Elizabeth Boehringer, DHCD

Partners for Better Communities



www.dhcd.virginia.gov



Ralph S. Northam
Governor

R. Brian Bell
Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

Erik C. Johnston
Director

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

October 11, 2019

The Honorable Frank M. Rabil,
Mayor
City of Franklin
101 Beechwood Drive
Franklin, VA 23851

Re: 2019 CDBG Planning Grant - Initial Response
City of Franklin

Dear Mayor Rabil,

We have reviewed the city's request for planning assistance for Franklin City Neighborhood Revitalization. We are prepared to offer planning grant assistance for reassessing and prioritizing project areas and have reserved \$3,000 in Planning Grant Funding to reimburse the city for completion of the following activities by December 9, 2019.

1. Completion of an initial public meeting

The city must schedule a public meeting to give citizens an overview of the proposed project. Citizens must be informed about the city's intentions to assess housing conditions and the feasibility of a rehabilitation program within the proposed project area and to survey residents and/or potential beneficiaries to confirm needs and income status. Citizens must also be informed of potential future activities under the study, including additional public and management team meetings and completion of housing inspections and engineering assessments in the project area. The city must disclose that future Planning Grant and Community Improvement Grant Funding depends on completion of these initial activities. At this meeting, energized neighborhood leaders called "sparkplugs" must be identified and included as members of the management team.

2. Completion of an initial management team meeting

The city must identify key stakeholders and secure their commitment in serving on a project management team. The management team must include, at a minimum, the City Manager or designee, a representative from the Hampton Roads Planning District Commission, the grant administrator, the local building official, a housing rehabilitation specialist, and at least two neighborhood representatives. At this initial meeting, management team members must help the city to develop a plan for completing these initial Planning Grant Activities.

3. Completion of neighborhood surveys

The City must complete a windshield survey to reassess housing conditions, and other prominent needs such as vacant buildings in the three areas you identified in your planning grant application. The City may also utilize other relevant sources of information on housing conditions, such as complaints, code violations, and reports by the local building official. The City must compile and provide a list of the housing units assessed including the condition of each unit and determine



your priority rankings for the development of a future housing rehabilitation/comprehensive community development project.

4. Completion of infrastructure assessment

The city must complete a preliminary assessment of existing water, sewer, road conditions, or other community identified needs and how the present condition is impacting living conditions. The city must prepare a written summary of the findings of the assessment.

5. Completion of a second management team meeting

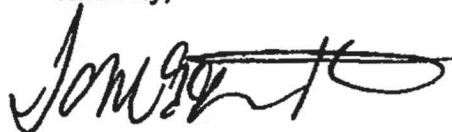
The city must schedule a meeting of the management team wherein members can review the results of the preliminary building and infrastructure assessments and surveys to better define the project. Potential project activities and plan of action should be discussed at this meeting.

Upon completion of these items, the City must submit a summary of these assessments and meeting minutes to the Virginia Department of Housing and Community Development (DHCD) by the deadline noted above. The responses must be submitted online using the Agency's Centralized Application and Management System (CAMS). If you have questions about how to access or use CAMS, please get in touch. Once DHCD has received and reviewed your response detailing the results of the above steps, a determination will be made as to the viability of the proposed project and eligibility to continue. If the project is determined to be viable and eligible, DHCD will notify the city and you will work with the assigned Community Development Specialist to conduct a Facilitated Planning Strategy session with the Management Team.

If the local government completes the activities outlined above (# 1-5) by December 9, 2019, the local government will have access to the \$3,000 reserved. The actual funding amount, not to exceed a total of \$30,000, will be dependent upon costs to complete the identified and agreed upon activities. If the city fails to complete the identified activities and/or fails to submit a Planning Grant Proposal, no Planning Grant Funding will be awarded.

Should you have any questions, please contact me at (804) 371-7056.

Sincerely,



Tamarah Holmes, Ph.D.
Associate Director

c: Amanda C. Jarratt, City Manager
Sarah Kidd, HRPDC



Rural Development

September 18, 2020

RD Area Office

22329 Main Street
Courtland VA 23837

Voice: 757-346-3158
Fax: 855-636-4613

Mr. Frank M. Rabil, Mayor
City of Franklin
207 W. Second Avenue
Franklin VA 23851

Dear Mr. Rabil:

This letter establishes conditions which must be understood and agreed to by you before further consideration may be given to your application for financial assistance from Rural Development for purchase a police vehicle and equipment. Any changes in project cost, source of funds, scope of services, or any other significant changes (this includes significant changes in your financial conditions, operation, organizational structure, or executive leadership) in the project or applicant must be reported to and approved by Rural Development by written amendment to this letter. **Any changes not approved by Rural Development shall be cause for discontinuing processing of the application.**

This letter is not to be considered as approval of financial assistance or as a representation as to the availability of funds. The financial package may be completed on the basis of a Rural Development grant not to exceed \$23,000, and other funding in the amount of \$19,452, for a total project cost of \$42,452. The other funding is planned in the form of applicant contribution.

An extra copy of this letter is being provided for use by your accountant. All parties may access information and regulations referenced in this letter at our website located at www.rd.usda.gov. **Any form, bulletin, or guide identified in this letter will be provided upon request.**

The conditions referred to in the first paragraph of this letter are as follows:

- 1. Project Description and Budget – Funds will be used to a police vehicle and equipment. Funding from all sources has been budgeted for the estimated expenditures as follows:

<u>Project Costs</u>	<u>Total Budgeted</u>
Equipment	\$42,452
TOTAL PROJECT COSTS	\$42,452

USDA is an equal opportunity provider, employer, and lender.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

2. Project Funds – Project funding is planned from the following sources and amounts:

<u>Project Funding Source</u>	<u>Funding Amount</u>
Rural Development Grant	\$23,000
Applicant Contribution	\$19,452
TOTAL PROJECT FUNDING	\$42,452

Any changes in funding sources following obligation of Rural Development funds must be reported to the processing official. Project feasibility and funding will be reassessed if there is a significant change in project costs. You must assure that all project funds are expended only for the eligible items included in the project budget of this letter of conditions or as amended by Rural Development in writing at a later date.

Any increase in non-Rural Development funding will be applied as a reduction to Rural Development grant funds (up to the total amount of the grant).

Any applicant contribution shall be considered as the first funds expended. Prior to closing, you must provide written evidence that funds to be contributed by your organization are available for expenditure.

After providing for all authorized costs, any remaining Rural Development project funds will be considered to be Rural Development grant funds and refunded to Rural Development.

3. Organizational Documents – The documents creating your entity have been reviewed and found to be acceptable.
4. Forms – You will be required to execute certain Agency forms in order to obtain financial assistance from Rural Development. A Resolution of Governing Body appointing an authorized representative to execute all forms must be provided. You must also provide minutes from the meeting at which the Resolution of Governing Body is adopted. Your signature on all required forms indicates your agreement to abide by all covenants outlined in the forms.
5. Code of Conduct – You must adopt and maintain a written code or standards of conduct which shall govern the performance of your officers, employees, or agents engaged in the award and administration of contracts supported by Rural Development funds. No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by Rural Development funds if a conflict of interest, real or apparent, would be involved.
6. Insurance and Bonding Requirements – Prior to closing, you must acquire and submit to Rural Development proof of the types of insurance and bond coverage. The use of deductibles may be allowed, provided you have the financial resources to cover potential claims requiring payment of the deductible. Rural Development strongly recommends that you have your insurance provider(s) review proposed types and amounts of coverage, including any exclusions and deductible

provisions. It is your responsibility to assure that adequate insurance and fidelity or employee dishonesty bond coverage is maintained.

- a. Liability and Property Damage Insurance – The project will be reviewed for liability and property damage needs, and amounts will be established accordingly. Public liability and property damage insurance will be obtained on all vehicles driven over public highways.
 - b. Workers' Compensation – In accordance with appropriate State laws.
 - c. National Flood Insurance – Applicants whose buildings, machinery, or equipment are to be located in an area which has been notified as having special flood or mudslide prone areas will not receive financial assistance where flood insurance is not available.
 - d. Real Property Insurance - Prior to closing, you must obtain real property insurance (fire and extended coverage) on all above-ground structures to include machinery and equipment housed therein, in an amount equal to the insurable value thereof.
7. Procurement - You may proceed to acquire the proposed vehicle and/or equipment by competitive negotiation. You must develop a Request for Proposal (RFP) and specifications. Rural Development must review and give prior approval to the specifications and RFP before soliciting for offers.

Following the receipt of offers, Rural Development must be provided with the following:

- a. Summary of all offers
 - b. Copy of the successful offer
 - c. Narrative summary of all negotiations
 - d. Copy of notice to all unsuccessful offerors
 - e. Copy of resolution of tentative award
8. Community Facilities Grant - Grant closing will take place at such time grant funds are needed to pay project costs. You will be required to execute Form RD 3570-3, Community Facilities Grant Agreement, at the time of grant closing and before funds can be advanced. A copy is attached.

The grantee understands that any property acquired or improved with Federal grant funds may have use and disposition conditions which apply to the property. The grantee understands that any sale or transfer is subject to the interest of the United States Government in the market value in proportion to its participation in the project as provided by 7 CFR Part 200 in effect at this time and as may be as subsequently modified.

Grant assistance is also subject to the provisions of Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 and the regulations issued thereto. This covenant is in effect for as long as the property continues to be used for the same or similar purpose for which the financial assistance was extended or for as long as the grantee owns it, whichever is longer.

9. Closing Instructions – Once all parties agree the bids received are acceptable; adequate funds are available to cover the total costs; and all administrative conditions for approval of financial assistance have been satisfied, Rural Development will issue closing instructions. The closing instructions, a copy of which will be forwarded to you, will set forth any further requirements that must be met prior to closing.
10. Disbursement of Funds – Rural Development funds will be advanced as they are needed in the amount necessary to cover Rural Development's proportionate share of any disbursements required. The Debt Collection Improvement Act (DCIA) of 1996 requires that all Federal payments be made by Electronic Funds Transfer/Automated Clearing House (EFT/ACH). You will have funds directly deposited to a specified account at a financial institution with funds being available to the recipient on the date of payment. You should complete Form SF-3881, Electronic Funds Transfer Payment Enrollment Form, for each account where funds will be electronically received. The completed form(s) must be submitted to Rural Development prior to advertising for bids.

Rural Development grant funds will be advanced as they are needed in the amounts necessary to cover Rural Development's proportionate share of obligations due and payable. Upon receipt, Federal funds must be deposited in an interest-bearing account in accordance with 2 CFR 200, Section 200.35, except as follows:

- a. Federal grant awards (includes all federal funding sources) less than \$120,000 per year.
- b. The best reasonably available interest-bearing account would not be expected to earn in excess of \$500 per year on Federal cash balances.
- c. The depository would require an average or minimum balance so high that it would not be feasible within the executed Federal and non-Federal cash resources.
- d. A foreign government or banking system prohibits or precludes interest-bearing accounts.

Interest earned on Federal advance payments in excess of \$500 per year will be submitted to Rural Development annually.

11. System for Award Management (SAM) – As the recipient, you must maintain the currency of your information in SAM.gov until (a) you submit the final financial report required under this award and (b) all grant funds under this award have been disbursed or cancelled, whichever is later. This requires that you review and update your information at least annually after the initial registration and more frequently if required by changes in your information or another award term. Recipients can register online at www.sam.gov.
12. Annual Financial Reporting/Audit Requirements – You are required to submit an annual financial report at the end of each fiscal year funds are expended. The annual report will be certified by the appropriate official and will consist of financial information. Financial statements must be prepared on the accrual basis of accounting in accordance with generally accepted accounting principles

(GAAP) and must include, at a minimum, a balance sheet and income and expense statement. All records, books, and supporting materials are to be retained for three years after the issuance of the annual report.

The criteria for determining the type of financial report to be submitted are specified below:

- a. Audits – An annual audit under the Single Audit Act is required if you expend \$750,000 or more in Federal financial assistance per fiscal year. The total Federal funds expended from all sources shall be used to determine Federal financial assistance expended. Expenditures of interim financing are considered Federal expenditures.

All audits are to be performed in accordance with 2 CFR Part 200, as adopted by USDA through 2 CFR Part 400. Further guidance on preparing an acceptable audit can be obtained from Rural Development. It is not intended that audits required by this part be separate and apart from audits performed in accordance with State and local laws. To the extent feasible, the audit work should be done in conjunction with those audits. The audit must be prepared by an independent licensed Certified Public Accountant and must be submitted within nine (9) months of your fiscal year-end.

- b. Financial Statements – If you expend less than \$750,000 in Federal financial assistance per fiscal year, you may submit financial statements in lieu of an audit. These financial statements must include, at a minimum, a balance sheet and an income and expense statement. You may use Form RD 442-2, Statement of Budget, Income and Equity, and Form RD 442-3, Balance Sheet, or similar format to provide the financial information. The financial statements must be signed by the appropriate official and submitted within 60 days of your fiscal year-end.

13. Compliance Reviews and Data Collection – Rural Development will conduct regular compliance reviews of the borrower and its operation in accordance with 7 CFR Part 1901, Subpart E, and 36 CFR 1191, Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities; Architectural Barriers Act (ABA) Accessibility Guidelines. The data you must provide depends on the type of project financed with Rural Development funds, and guidance will be provided to you by Rural Development.

The first compliance review will be conducted concurrent with closing, with subsequent compliance reviews conducted as needed.

14. Statutory and National Policy Requirements – As a recipient of Federal funding, you are required to comply with U.S. statutory and public policy requirements, including but not limited to:
 - a. Section 504 of the Rehabilitation Act of 1973 – Under Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), no handicapped individual in the United States shall, solely by reason of their handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Rural Development financial assistance.

- b. Civil Rights Act of 1964 – All borrowers are subject to, and facilities must be operated in accordance with, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and 7 CFR 1901, Subpart E, particularly as it relates to conducting and reporting of compliance reviews. Instruments of conveyance for loans and/or grants subject to the Act must contain the covenant required by Paragraph 1901.202(e) of this Title.
- c. The Americans with Disabilities Act (ADA) of 1990 – This Act (42 U.S.C. 12101 et seq.) prohibits discrimination on the basis of disability in employment, State and local government services, public transportation, public accommodations, facilities, and telecommunications.
- d. Age Discrimination Act of 1975 – This Act (42 U.S.C. 6101 et seq.) provides that no person in the United States shall on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
- e. Limited English Proficiency (LEP) under Executive Order 13166 – LEP statutes and authorities prohibit exclusion from participation in, denial of benefits of, and discrimination under Federally-assisted and/or conducted programs on the ground of race, color, or national origin. Title VI of the Civil Rights Act of 1964 covers program access for LEP persons. LEP persons are individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. These individuals may be entitled to language assistance, free of charge. You must take reasonable steps to ensure that LEP persons receive the language assistance necessary to have meaningful access to USDA programs, services, and information your entity provides. These protections are pursuant to Executive Order 13166 entitled “Improving Access to Services by Persons with Limited English Proficiency” and further affirmed in the USDA Departmental Regulation 4330-005, “Prohibition Against National Origin Discrimination Affecting Persons with Limited English Proficiency in Programs and Activities Conducted by USDA.”

Rural Development financial programs must be extended without regard to race, color, religion, sex, national origin, marital status, age, or physical or mental handicap. **You must display posters (provided by Rural Development) informing users of these requirements, and Rural Development will monitor your compliance with these requirements during regular compliance reviews.**

As a recipient of federal financial assistance, you must comply with all applicable federal, state, and local statutes, ordinances, regulations, and codes. The major portion of existing Rural Development rules and regulations which must be met are included in RD Instruction 3570-B. No modifications or waiver of any portion of these regulations is authorized. Such regulations shall govern regardless of any misinterpretation, omission, misunderstanding, or statements made by any Rural Development employee. The most critical requirements of the instructions have been highlighted or clarified in this letter.

We believe the information herein clearly sets forth the action which must be taken; however, if you have any questions, please do not hesitate to contact my office.

Please complete Form RD 1942-46, Letter of Intent to Meet Conditions, Form RD 1940-1, Request for Obligation of Funds, and AD-3031, Assurance Regarding Felony Conviction or Tax Delinquent Status, if you desire that further consideration be given to your application.

If the conditions set forth in this letter are not met within 6 months from the date hereof, Rural Development reserves the right to discontinue processing of the application. In the event the project has not advanced to the point of closing within 6 months and it is determined the applicant still wishes to proceed, it may be necessary to review the conditions outlined in this letter. If during that review it is determined the conditions are no longer adequate, Rural Development reserves the right to require that the letter of conditions be revised or replaced.

Sincerely yours,

PEGGY Digitally signed by
JORDAN PEGGY JORDAN
 Date: 2020.09.18
 08:34:58 -04'00'

for

Perry Hickman
Community Programs Director
USDA, Rural Development

cc: Community Programs Director, Richmond, VA
Accountant

BUDGET AMENDMENT 2021-7

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the 2020-2021 City Budget is hereby amended to authorize the reallocation of School's appropriations of local revenues to agree to Council approved appropriations.

		2020-2021	AMENDED	INCREASE
		BUDGET	BUDGET	(DECREASE)
250	<u>SCHOOL OPERATING FUND</u>			
	<u>REVENUE</u>			
41050-0100	Funds from Local Government	\$5,082,395	\$4,830,237	\$252,158
41050-1000	Use of Restricted Fund Balance	0	252,158	<u>(252,158)</u>
				\$0

Certified copy of resolution adopted by Franklin City Council.

Clerk to the City Council



FRANKLIN CITY PUBLIC SCHOOLS

OFFICE OF THE
SUPERINTENDENT

207 West Second Avenue
Franklin, Virginia 23851-1713
(757) 569-8111 • Fax (757) 516-1015

MEMORANDUM

TO: Amanda Jarratt
Franklin City Manager

FROM: Dr. Tamara Sterling
Division Superintendent

DATE: September 17, 2020

RE: Notice of Budget Adjustment

The Franklin City School Division requests that the following budget funds be re-classified to balance with the adopted budget for FY 2021. Currently, the entire appropriation for the year of \$ 5,087,395 is in the Local City Appropriation line and needs to be broke out to match what was adopted:

Local City Appropriation \$ 4,830,237
Use of Restricted fund Balance \$ 252,158

<i>Accounting Use Only</i>	<i>School Account</i>	<i>Amount</i>	<i>City Account</i>
Revenue Decrease (Local City Appropriation)		(\$252,158.00)	250-3-41050-0100
Revenue Increase (Use of Restricted Fund Balance)		\$252,158.00	250-3-41050-1000
Net Effect		\$0	



RESOLUTION #2020-18

**CITY OF FRANKLIN, VIRGINIA
RESOLUTION OF CITY COUNCIL
TRANSFER OF FUNDS FOR FIRE AND EMERGENCY MEDICAL SERVICES**

WHEREAS, the City Council of the City of Franklin, Virginia ("City Council") has committed to the expenditure of certain funds for fire and emergency medical services in the City of Franklin; and

WHEREAS, for this purpose, City Council desires to transfer to the Capital Projects Funds (Fund 200) and to restrict the use of a designated amount of funds; and

WHEREAS, sufficient funds exist in the general fund (Fund 100) to transfer to the Capital Projects Fund to accomplish this objective.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA:

That the transfer of funds in the amount of One Hundred Fifty Thousand Five Hundred Forty-one Dollars (\$150,541) from the General Fund (Fund 100) to the Capital Projects Fund (Fund 200) is hereby APPROVED, and that the use of the said funds is restricted for the purpose of funding fire and emergency medical services projects and expenditures for the City of Franklin, Virginia.

CERTIFICATION OF ADOPTION OF RESOLUTION

The undersigned Clerk of the City Council of the City of Franklin, Virginia hereby certifies that the Resolution set forth above was adopted during an open meeting on September 28, 2020, by the City Council with the following votes:

- Mayor Frank Rabil
- Councilmember Mark Kitchen
- Councilmember Ray Smith
- Councilmember Gregory McLemore
- Councilmember Linwood Johnson
- Councilmember Wynndolyn Copeland
- Vice-Mayor Robert Cutchins

Signed this ___ day of _____, 2020.

By: _____
Clerk, City Council of the City of Franklin, Virginia



RESOLUTION #2020-19

**CITY OF FRANKLIN, VIRGINIA
RESOLUTION OF CITY COUNCIL
TRANSFER OF FUNDS FOR DEBT SERVICE**

WHEREAS, the City Council of the City of Franklin, Virginia ("City Council") restructured certain debt, resulting in a current savings of funds by the City of Franklin, Virginia (the "City"); and

WHEREAS, City Council desires to transfer to the Debt Service Fund (Fund 200) certain of those funds not expended as previously anticipated and budgeted in anticipation of needing those funds in the future to service debt as a part of the debt restructure plan; and

WHEREAS, sufficient funds exist in the General Fund (Fund 100) to transfer to the Debt Service Fund to accomplish this objective.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA:

That the transfer of funds in the amount of Seven Hundred Fifty-Eight Thousand and Ten Dollars (\$758,010) from the General Fund (Fund 100) to the Debt Service Fund (Fund 200) is hereby APPROVED.

CERTIFICATION OF ADOPTION OF RESOLUTION

The undersigned Clerk of the City Council of the City of Franklin, Virginia hereby certifies that the Resolution set forth above was adopted during an open meeting on September 28, 2020, by the City Council with the following votes:

- Mayor Frank Rabil
- Councilmember Mark Kitchen
- Councilmember Ray Smith
- Councilmember Gregory McLemore
- Councilmember Linwood Johnson
- Councilmember Wynndolyn Copeland
- Vice-Mayor Robert Cutchins

Signed this ____ day of _____, 2020.

By: _____
Clerk, City Council of the City of Franklin, Virginia



*Office of the City Manager
Amanda C. Jarratt*

September 23, 2020

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: Personnel Policies


Background Information

Andrew Page the current Chairman of the Franklin Redevelopment and Housing Authority will be present to brief Franklin City Council on their actions over the last several months.

Needed Action

None at this time.



To: Amanda Jarratt, City Manager
From: Steve Patterson, Chief of Police 
Ref: Proposed Noise Ordinance
Date: 09-22-2020

Attached is the proposed 19-12 Noise Ordinance for the City of Franklin. This ordinance has been vetted through Attorney Vivian Giles with Sands Anderson. The words in red reflect changes to the existing City Code.

§ 19-12 Prohibited Noises.

[Ord. No. 94-5, 5-23-1994]

(a) Policy. At certain levels, Noise can be detrimental to the health, welfare, safety and quality of life of inhabitants of the City; and in the public interest Noise should be controlled. It is, therefore, the policy of the City to reduce Noise in the community and to prohibit unnecessary, excessive and annoying Noise from all sources that jeopardizes health or welfare or degrades the quality of life in the City of Franklin.

~~(a) (b) Generally. It shall be unlawful for any Person to make, continue, or cause to be made, continued, or permitted any unreasonable, excessive, unnecessary or unusually loud Noise, which is, annoying or injurious to the comfort, repose, health, peace or safety of others at any location within the City. , or to allow the creation of any such noise upon property such person owns, leases, occupies or otherwise controls, within the City limits.~~

(c) Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“Commercial Unit” means one (1) or more rooms arranged, designed, or intended to be occupied for commercial use, including, but perhaps not limited to, for offices or retail purposes.

“Dwelling Unit” means one (1) or more rooms arranged, designed, or intended to be occupied as separate living quarters by one (1) or more Persons and including permanent provisions for living, sleeping, eating, cooking, and sanitation.

“Emergency Work” means work made necessary to restore property to a safe condition following a public calamity, or work required to protect Persons or property from immediate exposure to danger, including work performed by public service companies when emergency inspection, repair, or facilities or restoration of services is required for the immediate health, safety, or welfare of the community

“Motor Vehicle” means the following self-propelled vehicles: passenger cars, trucks, truck-trailers, semitrailers, campers, motor boats, racing vehicles, and any motorcycles (including, but not limited to, motor scooters, mini-bikes, all-terrain vehicles, and three-wheelers) as defined in the Code of Virginia, § 46.2-100.

“Noise or Noise Disturbance” means any sound which (a) endangers or injures the safety or health of any Person; (b) causes or tends to cause an adverse psychological or physiological effect on any Person; or (c) negatively impacts the value of Personal or real property.

“Owner” means the Person owning, controlling, or possessing land, premises, or personalty.

“Person” means any individual, corporation, cooperative partnership, firm, association, trust, estate, private institution, group, agency, or any legal successor, representative, agent, or agency thereof.

“Plainly Audible” means any sound that can be detected by a Person using his or her unaided hearing faculties. The detection of rhythmic bass tones shall be considered Plainly Audible Sound.

“Public Property” means any real property owned or controlled by the City or any other governmental entity.

“Public Right-of-Way” means any street, avenue, boulevard, highway, sidewalk or alley.

“Real Property Boundary Line” means the property line along the ground surface, and its vertical extension, that separates the real property owned or leased by one Person from that owned or leased by another Person.

“Sound” means an oscillation in pressure, particle displacement, particle velocity, or other physical parameter, in a medium with internal forces that causes compression and rarefactions of that medium, and which propagates at finite speed. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

“Sound-amplifying Equipment” means any machine, device, or equipment for the amplification of the human voice, music, or other Sound as defined herein.

~~(b)~~(d) Prohibited acts enumerated. The following acts are declared to be Noise disturbances in violation of this section: ~~but such enumeration shall not be deemed exclusive:~~

(1) Construction equipment. Operating or causing to be operated any equipment used in construction, repair, alteration or demolition work on buildings, structures, streets, alleys or appurtenances thereto, in the outdoors between the hours of 9:00 p.m. and 7:00 a.m. the following day **within 100 yards of a lawfully occupied dwelling other than the dwelling of the party operating or causing the operation of the equipment.** This section shall not apply to construction of public projects, the repair or maintenance work performed on such projects or work performed by private or public utility companies for the repair of facilities or the restoration of services.

(2) Vehicle repair. Repairing, rebuilding or modifying any motor vehicle or other mechanical device in residential zoning districts between the hours of 9:00 p.m. and 7:00 a.m. the following day.

(3) Exhausts. **Discharging or causing to be discharged** into open air of the exhaust of any steam or diesel engine, stationary internal combustion engine, chain saw, power mower, motor boat or motor vehicle, except through a muffler or

other device which ~~that~~ will effectively reduce the noise or sound ~~prevent loud or explosive Noises from such engine.~~

(4) ~~Trash collection.~~ **Collecting** trash, refuse, or garbage in residential and business zoning districts between the hours of 9:00 p.m. and 7:00 a.m. the following day.

(5) ~~Loading and unloading.~~ **Loading and unloading** trucks outdoors within 100 yards of a residence between the hours of 9:00 p.m. and 7:00 a.m. the following day.

Commercial or industrial business. Operating, loading or unloading any vehicle, including, but not limited to, trucks, or the opening of bales, boxes, crates or containers in the outdoors within 100 yards of a residence or business, other than the residence or business of the party operating, loading, or unloading the vehicle, between the hours of 9:00 p.m. and 7:00 a.m.

(6) ~~Vehicle horns.~~ **Sounding the horn or warning device** of a motor vehicle, except when necessary as a warning during the operation of the vehicle.

Horns, whistles, other auditory Sounding devices Sounding or permitting the Sounding of any horn, whistle or other auditory sounding device on or in any motor vehicle on any Public Right-of-Way or Public Property, except as a warning of danger.

(7) ~~Music, television, radio, etc.~~ **The playing of any television set, radio, tape player, phonograph, or any musical instrument or any other device for the production of sound in such a manner or with such volume as to annoy or disturb the quiet, comfort or repose of reasonable persons and also more specifically operating or permitting the use or operation of any television set, radio, tape player, musical instrument, phonograph or any other device for the production of sound in such a manner as to be plainly audible across property boundaries or through partitions common to two residences within a building or plainly audible at 50 feet from such device, when operated within a motor vehicle driving or parked on a public right-of-way or in a public place.**

Radios, television sets, musical instruments, similar devices.

(a) **Making, continuing, or causing to be made, continued, or permitted any Noise Disturbance wherein the Sound is Plainly Audible at a distance of fifty (50) feet or more from the Real Property Boundary Line of the lot containing the source of the Sound, or, where Dwelling Units or Commercial Units adjoin, wherein the Sound is Plainly Audible through partitions common to two (2) Dwelling Units or Commercial Units within a building unless exempted by this Code.**

(b) Playing or permitting the playing of any device to play music or amplify Sound within a Motor Vehicle and which is Plainly Audible from outside the Motor Vehicle at a distance of fifty (50) feet or more from the Motor Vehicle.

(8) Animals. Owning, keeping, possessing or harboring any animal which frequently or habitually howls, barks, meows, squawks or makes such other Noise as is Plainly Audible across Real Property Boundary Lines or through partitions walls common to two Dwelling Units or Commercial Units within a building, or that is Plainly Audible at a distance of 50 feet or more from the building in which it is located; or that is Plainly Audible at a distance of 50 feet or more from its source when such Sound is not due to the harassment of, or injury to, the animal or due to the trespass upon the premises where the animal is located.

~~(9) Unusually loud conversation. Any unreasonably loud or raucous conversation, yelling, shouting, whistling or singing that is plainly audible across property boundaries, through partitions common to two residences within a building or in any public place.~~

Yelling, shouting, etc. Yelling, shouting, whistling or singing between the hours of 9:00 p.m. and 7:00 a.m. so as to permit the Sound to be heard across a Real Property Boundary Line or through partition walls common to two Dwelling Units or Commercial Units within a building; or that is Plainly Audible at a distance of 50 feet or more from the building in which it is located; or that is Plainly Audible at a distance of 50 feet or more from its source; or on a Public Right-of-Way or Public Property.

(10) Loudspeakers, public address systems, sound trucks. Using, operating or permitting the operation of any loudspeaker, public address system, mobile sound vehicle or any Sound Amplifying device amplifying sound therefrom. (See 19-14 and 19-15 below)

(10) Loudspeakers, public address systems, sound trucks. Using, operating or permitting the operation of any loudspeaker, public address system, mobile sound vehicle, or any Sound Amplifying Equipment.

~~(e)~~ (e) Exemptions. This section shall have no application to the following:

~~(1) Fire, rescue, police, ambulance or other emergency vehicles, to any noise or sound created thereby or by any person to sound a warning or call attention to a bona fide emergency or to any sound made in the performance of emergency work.~~

~~(2) Noise or sound which customarily accompanies parades, sporting events, public functions or commemorative events except to the extent that such activities are subject to conditions set forth in any required permits therefor.~~

~~(3) — Noise or sound which customarily accompanies activities conducted in any gymnasium, theater, swimming pool, stadium or similar sporting facility.~~

(1) Sound generated for the purpose of alerting persons to the existence of an emergency, the emission of Sound in the performance of Emergency Work, and the emission of Sound necessary for the protection or preservation of property or the health, safety, life, or limb of any person, including, but not limited to, sirens, loud speakers, emergency communications equipment, radios in public safety vehicles, Motor Vehicle alarms, and other security devices.

(2) Any speech protected by the laws of the United States of America or the Commonwealth of Virginia.

(3) Noncommercial public speaking and public assembly activities conducted on any Public Right-of-Way or Public Property for which a permit has been issued by the City.

(4) Radios, sirens, horns and bells on police, fire or other emergency response vehicles.

(5) Parades, fireworks, school-related activities, and other special events or activities for which a permit has been issued by the City, within such hours as may be imposed as a condition for the issuance of the permit.

(6) Activities on or in municipal and school athletic facilities and on or in Public Property and facilities, provided that such activity has been authorized by the Owner of such property or facilities, or their agent.

(7) Fire alarms and burglar alarms, prior to the giving of notice and a reasonable opportunity for the Owner or tenant in possession of the premises served by any such alarm to turn off the alarm.

(8) Religious services, religious events or religious activities, including, but not limited to, music, bells, chimes and organs that are a part of such service, event or activity.

(9) Locomotives and other related railroad equipment and aircraft.

(10) Sound generated from any bona fide agricultural activity, including, but not limited to, Sounds generated by animals which constitute a part of the agricultural activity.

(11) Sound or Noise which is necessary for Emergency Work on roads, highways, and buildings.

(12) Sound or Noise generated in connection with lawn care, leaf removal, gardening, tree maintenance or removal, or other landscaping, lawn, or timbering activities between the hours of 7:00 a.m. and 9:00 p.m.

(13) Sound or Noise generated as a part of any military activities of the Commonwealth of Virginia or of the United States of America.

(14) Sound generated where the regulation of Noise has been preempted by federal law.

~~(d)(f) Any person violating any provision of this section shall be deemed guilty of a Class 2 misdemeanor. Each day such violation is committed shall constitute a separate offense and shall be punishable as such hereunder.~~

A violation of any provision of this article constitutes a misdemeanor on the following schedule:

(1) First violation: Class 4 misdemeanor.

(2) Second violation within twelve (12) months of the first violation ("twelve-month period"): Class 3 misdemeanor.

(3) Third violation within the twelve-month period: Class 2 misdemeanor.

(4) Fourth and subsequent violations within the twelve-month period: Class 1 misdemeanor.

Each separate act on the part of the Person violating this article shall be deemed a separate offense, and each day a violation is permitted to continue unabated constitutes a separate offense. Criminal enforcement against a Person violating this article shall not be a bar against, or a prerequisite for, taking any other action permitted by this Code or the Code of Virginia to abate the violation.

Repeal:

§ 19-14

Loudspeakers; outside use generally.

[Code 1962, §§ 18-41, 18-42]

(a) It shall be unlawful and a Class 4 misdemeanor for any person to have any electrical or mechanical amplifier or loudspeaker placed or located on the outside of any premises or on any sidewalk for the purpose of transmitting radio music or record or other sounds; provided, that the City Manager may issue permits to churches for the broadcasting of religious programs and may issue to establishments within the business district a permit to broadcast appropriate Christmas music, without advertising, between Thanksgiving Day and the second day of January of the year following. Such permit shall prescribe the hours and manner of broadcasting and may be modified or revoked by the City Manager.

(b) Nothing contained in this section shall be construed to prevent transient, itinerant advertising by the use of amplifiers or loudspeakers or to prevent the broadcasting of any special occurrence or news by the use of amplifiers or loudspeakers. No such broadcast shall be given unless there shall first have been secured a permit from the City Manager.

Repeal:

§ 19-15 Loudspeakers and other sound-producing devices; use on motor vehicles for advertising purposes.

[Code 1962, § 17-24]

(a) The use in, upon or attached to any motor vehicle operating on any street of the City, of any radio, phonograph, musical instrument, bell, whistle, loudspeaker, amplifier or device of any kind whatsoever whereby sound therefrom is cast upon any street to promote or advertise the sale of goods, wares or merchandise, or for the purpose of advertising auction sales, sporting events or other business or things advertised thereby, is prohibited. The provisions of this section shall not apply to motor vehicles driven in a duly authorized parade. The use of a loudspeaker on a motor vehicle for making auction sales in streets directly in front of the property then being sold, and entirely outside of the business districts of the City, shall not be construed as a violation of this section, when such use is limited strictly to the selling at auction of such property.

(b) A violation of this section shall constitute a Class 4 misdemeanor.



*Office of the City Manager
Amanda C. Jarratt*

September 25, 2020

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: Gaming Machines

Background Information

As you all are aware, gaming machines were determined to be illegal in the most recent General Assembly session however, those in existence prior to June 30, 2020 were allowed to remain through June 30, 2021 if they meet a number of requirements including obtaining an ABC license. As you all are aware we have a number of these facilities open in the City of Franklin over the last six months. We will provide an update from Sands Anderson on this issue and seek your direction on how to move forward.

Needed Action

Consider the information provided from Sands Anderson and provide direction to staff.



*Office of the City Manager
Amanda C. Jarratt*

September 23, 2020

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: City Manager's Report

General Updates

- The Southampton County Courthouse project continues to move forward with the development of the more detailed conceptual plans. Updated schematics are provided following this report.
- The feasibility and environmental analysis for the Franklin Armory facility should be completed no later than September 30th. Once complete will work with Council and key community stakeholders to determine next steps.
- The COVID-19 cases in the City of Franklin continue to increase. Precautions remain in place and we ask that all citizens continue to follow the recommendations of the Virginia Department of Health and Center for Disease Control. We are working with the Virginia Department of Health to provide additional testing opportunities in the City in October. As of this writing our positivity rate within the City of Franklin was down to 9.1%.
- Staff was recently notified that we were awarded the USDA Grant for the purchase of a new police car.

Community Events

- We are working with staff to organize holiday events for Halloween and Christmas that are in compliance with the recommendations from the Virginia Department of Health and the Center for Disease Control.
- Franklin Cruise In has restarted on Wednesday afternoons with social distancing being strongly encouraged.
- National Night Out has been rescheduled for October 6, 2020 as a result of COVID-19. Due to the ongoing pandemic and increasing case numbers all activities associated with the evening will be virtual and prerecorded. Please take a moment to create a one to three-minute video and submit to Chief Patterson no later than September 30, 2020.

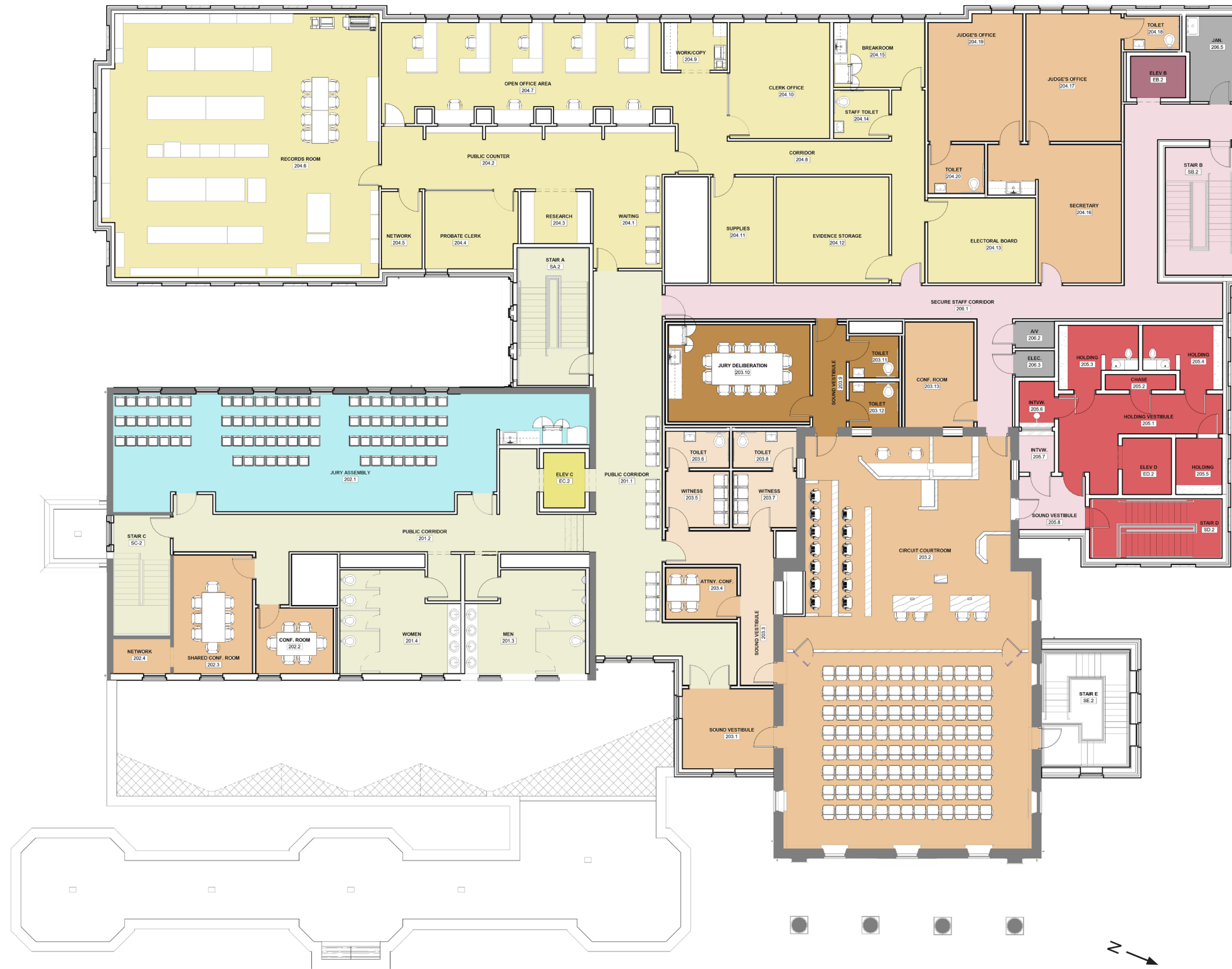
REPAIR & RENOVATION OF COURTHOUSE FACILITIES

SCHEMATIC DESIGN PRESENTATION



September 23, 2020



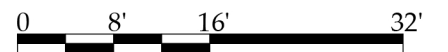




EAST ELEVATION



SOUTH ELEVATION

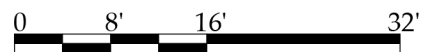




NORTH ELEVATION



NORTH ELEVATION - ALTERNATE





WEST ELEVATION



WEST ELEVATION - ALTERNATE

